

# AMALGAMATED SECURITY COMMUNITIES

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# Abstract

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This dissertation examines the process of the formation and dissolution of Amalgamated Security Communities, a topic that has been ignored by the academic community except as a side note when the origins of Pluralistic Security Communities are examined. Amalgamated Security Communities (ASC) must have some level of military integration. A multiple case study design examines the process of integrating military forces and capabilities to generate military power in the context of the formation of an ASC. The cases chosen were restricted to those in which the various previously independent political entities *voluntarily* and formally merged. Once a *decision* is made to integrate military capabilities, especially the integration of the capacity to produce military capability, an ASC will form as a result; this process is the mirror image of state dissolution. The degree of integration of military capabilities and the capacity to produce military capability is the independent variable which has been divided into a number of categories used to compare cases. This study argues that it is the *decision* to become “brothers-in-arms” that is crucial to the development of an “us” vs. “others” identity. It is military integration that creates and reinforces a new identity among and between amalgamated political entities rather than being a byproduct of an identity. This connection between military integration and identity formation is a critical foundation of this study. Findings include, that how military forces are created, controlled, organized, equipped, and by whom, has a political impact on the formation of an ASC. Multiple jurisdictions with control over military capabilities and the capacity to produce military capabilities creates a politically unstable ASC. This study permits prediction of how stable an ASC is and the likelihood of its violent fracture as well as providing methods to prevent violent conflict regardless of the geographic, cultural, and economic context of the ASC and whether it is an authoritarian political regime or not. Finally, this study places Constructivism as an approach at the heart of the creation of military forces, as well as at the forefront of military fracture and civil war.

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## **Chapter 1. Amalgamated Security Communities and the Process of State Formation.**

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### **1-1. Introduction**

Unlike Pluralistic Security Communities which have been the object of significant academic interest since 1998, the concept of Amalgamated Security Communities (ASCs) has received scant attention from the academic community since it was first proposed by Karl Deutsch in 1957.<sup>1</sup> This paper seeks to correct this omission and proposes that Amalgamated Security Communities are in fact very important and have significant ramifications for both the academic community and policy makers.

Although this paper will expound in greater detail the particulars of the argument for Amalgamated Security Communities, it is necessary first to outline the basis for the paper and establish some definitions to thereby create the framework needed to discuss the concept. The start point is the definition of Amalgamation as proposed by Karl Deutsch.

“By Amalgamation we mean the formal merger of two or more previously independent units into a single larger unit, with some type of common government after amalgamation. This common government may be unitary or federal. The United States today is an example of the amalgamated type. It became a single governmental unit by the formal merger of several formerly independent units. It has one supreme decision-making center.”<sup>2</sup>

Integration according to Deutsch is “...the attainment, within a territory, of a “sense of community” and of institutions and practices strong enough and widespread enough to assure for a “long” time, dependable

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<sup>1</sup> Karl Deutsch et al., eds., *Political Community and the North Atlantic Area*, (Princeton: Princeton University Press, 1957)

<sup>2</sup> Ibid., 6

expectations of “peaceful change” among its population.”<sup>3</sup> According to Deutsch amalgamation and integration do not completely overlap, so that there can be amalgamation without integration and vice versa. The distinction is diagrammed in such a way as to illustrate that amalgamation without integration leads to entities such as the Hapsburg Empire, while amalgamation with integration leads to Amalgamated Security Communities such as the United States.<sup>4</sup> Deutsch provides definitions for; “security communities”, “integration”, “sense of community”, “peaceful change”, “amalgamation”, “pluralistic” and what constitutes a successful and unsuccessful security community, but he does not provide a direct definition of an Amalgamated Security Community. He does indicate however that there are certain conditions that should exist for the formation of an Amalgamated Security Community. These conditions include: mutual compatibility of main values (political, and religious); a distinctive way of life and the formation of a common sense of “us”; positive expectations of stronger economic ties and gains and noneconomic gains; an increase in political and administrative capabilities; superior economic growth; unbroken links of social communication as well as multiplicity of mutual institutions and common transactions; a broadening of the political, social, and economic elites as well as links among the elites of different states; geographical mobility of the population; a not infrequent change of group roles; and considerable mutual predictability of behavior.<sup>5</sup> Another implicit factor must be security relationships and military structures within a ‘security community.’ Considering these conditions as implicit parts of the definition of Amalgamated Security Communities, and combining them with the explicit definition of Amalgamation, should give a workable definition that is in line with Deutsch’s intent. The operational definition for Amalgamated Security Communities proposed by this paper therefore is that; *Amalgamated Security Communities are states (de facto or de jure) composed of two or more previously independent political entities that have integrated a portion of their respective militaries and that have voluntarily and formally merged so that they are subject to some form of common government.*

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<sup>3</sup> Ibid., 5

<sup>4</sup> Ibid., Diagram. p.7

<sup>5</sup> Ibid., 46-58

The next step is to acknowledge and incorporate the seminal work done by Adler and Barnett in *Security Communities*.<sup>6</sup> In this work, building on and adapting concepts from Deutsch, they were able to establish the concept of pluralistic security communities as a viable research program using a constructivist approach. Their work is at the conceptual heart of this paper and is wholeheartedly accepted; except for one key item. Adler and Barnett describe two types of “mature” security communities that can emerge; these are loosely coupled and tightly coupled security communities. They describe indicators for the existence of each type. One indicator for tightly coupled security communities is:

“**A high level of military integration.** Although a security community does not require that there be military integration, it is quite likely that shared identities and a high degree of trust will produce a desire for the pooling of military resources; this will be particularly true if there was military cooperation in earlier phases of the emerging security community. We expect that if there was no military cooperation in earlier phases, then the emergence of a common threat at this stage would produce the desire for it. This indicator reflects not only high trust but also that security is viewed as interdependent.”<sup>7</sup>

In order to create the conceptual space needed for examining the process of creating Amalgamated Security Communities, it is necessary to modify this description of tightly coupled security communities by replacing - *A high level of military integration* with *A high level of military cooperation*. Adler and Barnett’s description of tightly coupled security communities uses the term military cooperation but seems to use the terms integration and cooperation interchangeably. This is not precise and is unfortunate because military cooperation is not the same as military integration. Cooperation by definition implies more than one actor working together to achieve a common end. Integration on the other hand indicates a process of unification by making a composite or combination of parts into a whole entity. This whole entity is a single actor and cannot be the same as cooperation between multiple actors. Substituting military cooperation in lieu of military integration in the description of tightly coupled security communities makes the description more precise and corresponds better with multiple actors in a pluralistic security community.

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<sup>6</sup> Emmanuel Adler and Michael Barnett, eds., *Security Communities*, (Cambridge: Cambridge University Press, 1998).

<sup>7</sup> Ibid., 56



What this paper proposes with both the description of tightly coupled security communities and the definition of Amalgamated Security Communities is to make the definitions more precise. This is done in order to “increase the conceptual differentiation”<sup>8</sup> between tightly coupled security communities and Amalgamated Security Communities. This is critical in order to provide a basis for understanding the process of Amalgamated Security Community formation and the main argument of this paper.

## **1-2. Vignette**

Why have I chosen to examine the topic of Amalgamated Security Communities and how does this rarely mentioned subject relate to anything of current interest? The answer is that in the fall of 1994 I made a trip to Brussels. Living in Europe in 1994 was quite different than when I had last lived there in the late 1980s. I no longer needed a visa to travel to other countries, although I did have to process through customs in lines for “non-EU” travelers. I was extremely interested to visit the US Embassy to the EU and to learn that EU law superseded national law in those areas in which it had jurisdiction. I also visited the Western European Union (WEU) Planning Cell; a type of Military Coordination Headquarters that I also did not know existed previously. There I found that the WEU had some nascent capabilities, and had conducted several limited operations in the past few years.<sup>9</sup> I of course knew about NATO but was fascinated by the presentation given to me by a very kind British Officer assigned to the WEU Planning Cell that not only opened my eyes to an organization older than NATO but one that intended to increase its capabilities and conduct more operations. Other U.S. military officers interested in European affairs tended to focus on NATO and denigrate the WEU as not being a “real” defense organization. I on the other hand thought I had seen a glimpse of something important for the future of Europe. The development of a European capability outside of NATO (now under the aegis of the EU) has held my attention for 17 years as it has slowly evolved and developed to the point where today it is a topic that

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<sup>8</sup> David Collier and Steven Levitsky, “Democracy with Adjectives: Conceptual Innovation in Comparative Research,” *World Politics*, 49, no. 3 (1977): 442.

<sup>9</sup> These operations were: “Operation Cleansweep” 1988 - Strait of Hormuz; “Operation Sharp Guard” 1993 - enforcing the embargo against Yugoslavia in the Adriatic along with an operation to enforce sanctions along the Danube; as well as a WEU police contingent assisting the EU administration of Mostar.

deserves serious investigation. My study of the topic led me to Amalgamated Security Communities as the best fit for the problem I encountered years ago in Brussels.

### **1-3. The Problem**

A common thread that runs through Post-World War II Western European history is one of increasing integration across national boundaries in almost all aspects of life from the mundane to the core elements of national sovereignty. The increase in European Security and Defense Cooperation that is shifting toward integration under the aegis of the EU is a critical yet puzzling development. Some scholars (and military professionals) dismiss the idea of European Security Cooperation much less any type of integration as amounting to nothing more than talk. Recent research however, has demonstrated as an empirical fact that there has been an increase in security cooperation within the EU.<sup>10</sup> This paper will examine any empirical evidence regarding a shift toward EU military integration as well.<sup>11</sup> Current research describes what is happening regarding increased European security cooperation, but what has yet to be adequately addressed is the *cause* for the shift towards integration. To date the official explanation and various alternative theoretical approaches do not give a satisfactory explanation as to why the EU is developing its own defense capability and why increased security cooperation and the shift towards integration of defense is continuing to broaden and deepen in scope. There is no military threat to the states of Europe that would explain this trend. NATO is a necessary precondition that habituated the Europeans to close cooperation in the area of collective defense, but it is not sufficient to explain why the EU is developing defense structures known as the European Security and Defense Identity (ESDI). This is particularly interesting given the fact that all of the EU members of NATO view NATO as the primary collective defense organization that guarantees their security and that in an era of little conventional military threat, defense spending by the EU states has declined sharply. This follows what would be expected by a Public Goods approach to alliance formation in which overall defense spending declines as various states free ride and divert resources into non-defense areas. Given the deficiencies of current

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<sup>10</sup> Seth Jones, *The Rise of European Security Cooperation*. (New York: Cambridge University Press, 2007).

<sup>11</sup> (e.g. EU Satellite Centre, SALIS initiative, European Air Transport Center (EATC), EU Institute for Security Studies, Synchronized Armed Forces Europe (SAFE) etc...)

explanations, both official declarations and theoretical approaches: What accounts for the creation of ESDI given the lack of a conventional military threat to Europe and the presence of NATO?

#### **1-4. Alternative Explanations and Theories**

##### **1-4 (a). Official Explanation and Public goods**

The officially stated rationale for developing the European Security and Defense Identity is to strengthen the "European Pillar of NATO" and whose capabilities will be "Separable but not Separate" from NATO in order to be able to "act in situations where NATO as a whole was not involved". If true then ESDI would appear to be a collective defense organization; a type of sub-alliance within NATO.

Numerous studies demonstrate that the larger powers in an alliance will tend to provide a disproportionate share of the public goods in an alliance. For many years the U.S. (especially the U.S. Congress) complained about the relative levels of allied contributions to NATO using the phrase "burdensharing" to describe what it views as an inequitable distribution of obligations vs. benefits. The official rhetoric surrounding ESDI would seem to suggest that ESDI is the method the Europeans have chosen to respond to longstanding U.S. criticism. This would indeed be the case if ESDI is meant to be, as its proponents claim, the method to "strengthen the European Pillar of NATO". Is this rationale of new found virtue in increasing European contributions to the Atlantic Alliance satisfactory enough to explain the creation of ESDI?

Public goods are by definition nonrivalrous in consumption and nonexcludable in use.<sup>12</sup> National Defense is often used as an example of a public good in that each citizen benefits from the protection provided by the army without reducing in any way that benefit to all other citizens, and that citizen's use of protection provided by their army does not exclude any other citizen from that same protection. This holds true whether or not one of the other citizens has paid taxes to support the army or not. The same analogy regarding states within alliances, and defense as a public good applies. In fact much work has been done in examining the public goods aspects of alliances (especially NATO) and the relative

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<sup>12</sup> David Weimner and Aidan Vining, *Policy Analysis: Concepts and Practice*, 3d ed., (New Jersey: Prentice-Hall, 1999), 75.

contribution made by member states to the alliance. Although much other work has been done in examining burdensharing in terms of trying to accurately quantify the measures used for comparing relative contributions to alliances (in areas such as relevance, efficiency, strategic value, quality, and even firepower), and even the question of "discounting" the contribution of one nation by others in an alliance, this paper is not concerned with that level of detail due to the focus on the creation of a new organization rather than in detailing the contributions to an existing alliance.<sup>13</sup> In their seminal 1966 study, Olson and Zeckhauser proposed that "When a nation decides how large a military force to provide in an alliance, it must consider the value it places on collective defense and the other non-defense goods that must be sacrificed to obtain additional military forces".<sup>14</sup> They developed a method to demonstrate the effects of opportunity costs on alliance defense provision. When not in an alliance a country will produce a quantity of defense (X) based on its perceived needs. When in an alliance "the amount a nation spends on defense will be affected by the amount (of defense) its allies provide".<sup>15</sup> The increase or "spill in" of defense capability which comes from the jointness of the defense public good is actually a free increase provided by the defense spending of the other country. Because of this the country in an alliance can spend less on defense (Y) and still obtain a higher or equal defense capability. The nation can now spend the difference of X-Y on non-defense goods. Olson and Zeckhauser also showed that in an alliance, as one nation's defense expenditure increases the other nation's defense expenditure tends to decrease.<sup>16</sup> Furthermore, the "defense expenditure decisions made by alliance nations are such that the larger nation - the one that places the higher absolute value on the alliance good- will bear a disproportionately large share of the common burden".<sup>17</sup> In alliances with conventional weapons this will lead to some amount of "free riding" (consuming a public good without contributing or contributing very little to it) by lesser

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<sup>13</sup> Charles Cooper and Benjamin Zycher, *Perceptions of NATO Burdensharing, Chapter II*, (Santa Monica: RAND, 1989).

<sup>14</sup> Mark Boyer, *International Cooperation and Public Goods; Opportunities for the Western Alliance*. (Baltimore: The Johns Hopkins University Press, 1993), 14.

<sup>15</sup> Ibid.

<sup>16</sup> Ibid., 15.

<sup>17</sup> Ibid., 16.

powers in the alliance. There are some problems with Olson's and Zeckhauser's analysis in that this model does not take all aspects of contributions to an alliance into account, that it assumes that decisions are taken without consultation, and that defense can be produced equally by all countries. However, though further work by Bruce Russett, Todd Sandler and others have refined the model and shown that there are various outputs from defense spending, not all of which are public goods (joint product model), it has not been repudiated in terms limited to the public goods provision of defense capability in alliances. Two key but countering findings were that because some defense spending has dual public and private use (a soldier and his weapon can put down domestic uprisings as well as contribute to an alliance) nations will tend to spend slightly more than predicted by the model, and that in an alliance with nuclear weapons those states that join can consume the public good of nuclear protection without any contribution in providing that good (strong free riding).

Work by Sandler and Murdoch looked at NATO burdensharing in the 1990s. They found that the joint product model, with an increasing level of publicness as the larger allies adopted precision munitions, applied to the data available for NATO in the 1990s. They also describe the link between the security environment and the alliance's strategic concept as being directly related to the level of pure public goods in the alliance over time. Under MAD deterrence was a pure public good while Flexible Response engendered a provision of joint products, and the move to precision munitions provided more public goods within the alliance.<sup>18</sup> In other words, the strategic environment directly relates to the amount of public goods produced by an alliance. If the strategic environment is characterized by the absence of a threat to sovereignty or territorial integrity, what would be the motive of states to increase their contribution of joint products to the alliance?

What is the implication of this for the creation of ESDI? The model described above has been used to understand the problem of burdensharing within NATO. It rightly predicts that the larger power in the alliance will provide a disproportionate share of the public goods used by an alliance (even if most

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<sup>18</sup> Todd Sandler and James Murdoch, "On Sharing NATO Defense Burdens in the 1990s and Beyond," *Fiscal Studies* 21, no. 3. (2000): 297-327.

goods within an alliance fit the joint product model), but it does so for its own interest. What would influence the Europeans to divert additional resources toward defense? The U.S. has proved throughout the Cold War and beyond that it is not only willing to provide the extra defense capability, but also to use its capabilities in the European region (Bosnia, Kosovo, Macedonia). The Europeans claim that the creation of ESDI will respond to long standing U.S. complaints about burdensharing and will increase the European capabilities within NATO. What is seen in practice is something entirely different.

NATO, in response to the growing gap in capabilities between the US and its allies (demonstrated in operations over Kosovo), initiated in April 1999 a “Defense Capabilities Initiative” (DCI) designed to improve European forces in those critical areas where they had been left behind by emerging technologies in command, control, communications, computers, information, precision weapons, deployable forces, sustainment, and survivability.<sup>19</sup> DCI, despite the persistent and energetic appeals of the NATO Secretary General Lord Robertson, was an abysmal failure. DCI was quietly buried at the November 2002 Prague Summit, where the idea of the European allies providing “niche capabilities” was proposed by the US as an alternative method for improving the quality of European forces. The Europeans simply would not increase their defense spending to improve capabilities; in fact they continue to cut defense budgets.

Data published by the Europeans themselves continues to demonstrate the lack of investment in defense by the Europeans.<sup>20</sup> The 2007 data shows that while Europe had a larger overall GDP and greater governmental spending, their defense spending was less than half that of the US, and that defense spending as a percentage of GDP continued on a downward spiral. Furthermore, EDA data that compares the levels of defense investment year to year within Europe for 2005 to 2007 shows a continual decrease in Research and Development.

If ESDI was designed to strengthen the European Pillar of NATO, then funding of the DCI (which would have improved precisely those critical capabilities the Europeans need to undertake

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<sup>19</sup> Elinor Sloan, “DCI: Responding to the US-led Revolution in Military Affairs,” *NATO Review* 48, (Spring/Summer 2000): 4-7.

<sup>20</sup> See Appendix I of this study on page 462 for tables comparing defense spending and investment in defense. European Defense Agency, available from <http://www.eda.europa.eu/defencefacts/> Internet; accessed 12 September 2009.

operations without the US), would have demonstrated that. The reality is that in the current strategic environment (characterized by the absence of a conventional threat to sovereignty or territorial integrity), the European allies lack a motive to increase their contribution to NATO's collective defense.

What is observed is Europe relying on NATO to provide for its collective defense, and within NATO the US providing the bulk of the public goods. No European state has claimed that ESDI should replace NATO as the collective defense organization for Europe. Why should they? ESDI would not have the capabilities without NATO to provide for their defense. There is no empirical reason for Europe to increase its defense capabilities absent a threat with the U.S. providing the level of defense capabilities in the alliance that it currently does. Given the current security environment why should Europe do more? ESDI is clearly not based on a new found public virtue by the Europeans to finally answer US complaints about burdensharing, otherwise they would have increased their defense investment. The result of the demonstrated lack of increased European defense investment is that the official explanation of building the "European Pillar of NATO" as the reason for the creation of ESDI is clearly suspect.

#### **1-4 (b). Theories of European Integration**

There is a considerable body of literature dealing with theories of European Integration. These are theories that have been developed to explain what has been observed with the ever increasing integration in the EU. These theories have been useful in explaining some aspects of EU integration which as a process has been notable for its incremental advancement as well as various setbacks. U.S. observers often discount this incremental approach as it runs counter to our experience of major endeavors undertaken and completed relatively quickly. This incremental integration process is outlined in the major theories on integration, chief among these are Federalism, Functionalism, Transactionalism, and Neo-functionalism.

Federalism as a theory has a long history<sup>21</sup> but is marked by considerable conceptual and practical ambiguity.<sup>22</sup> Conceptually it can encompass centralizing as well as decentralizing tendencies, there is no

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<sup>21</sup> Abbé de Saint-Pierre, *The Project for Settling Perpetual Peace in Europe*, 1713

<sup>22</sup> Ben Rosamond, *Theories of European Integration*. (New York: Palgrave Macmillan, 2000), 23.

agreed formula on how powers should be apportioned among units, whether it follows from interactions among peoples or from constitutional design, or whether it is born of an incremental process or a single act of constitutional construction. What is agreed is that it is a political problem.<sup>23</sup> Generally in relation to the experience in the EU “It is very difficult to separate federalist theorizing from federalist advocacy and, by the same token, it is difficult to find a single coherent body of European federalist theory.”<sup>24</sup> A general idea about Federalism as a theory in the EU context would be the use of a contract or contracts (series of intergovernmental treaties or agreements) to create supranational institutions which share power with national governments. A crucial flaw in the use of Federalism as a theory of integration is that Federalism does not postulate why governments or peoples would chose to integrate in a Federal framework. The assumption is that Federalism is an end in itself.<sup>25</sup> It cannot answer why increased military cooperation shifting toward integration in the EU would be a public good or a goal; Federalism therefore falls short in providing an explanation.

Functionalism as a theory can be seen as a precursor to a number of current theoretical approaches in the liberal-idealist tradition such as interdependence theory and regime theory.<sup>26</sup> Functionalism does have a widely acknowledged leading scholar, David Mitrany, who wrote before and after World War II.<sup>27</sup> For functionalists “form follows function”<sup>28</sup> in creating institutions that are focused on meeting human needs not the demands of territorially defined political concerns. Functionalist integration focuses on meeting these needs by the linking of governmental responsibility to specific technical tasks and functions across territories so that the task oriented institutions created in the process, over time, become supranational in scope. This would involve a small bit of each state’s sovereignty being transferred to the authority that deals with each particular function. This occurs in various areas until there is an attainment of a ‘community’. In this manner functionalism “evolves” in an unconscious

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<sup>23</sup> Ibid., 23-29.

<sup>24</sup> Ibid. 29.

<sup>25</sup> Gulnur Aybet, *The Dynamics of European Security Cooperation 1945-1991*, (New York: St. Martin’s Press, 1997), 12-14.

<sup>26</sup> Rosamond, *Theories of European Integration*, 31.

<sup>27</sup> Aybet, *The Dynamics of European Security Cooperation 1945-1991*, 17.

<sup>28</sup> Rosamond, *Theories of European Integration*, 34.



manner.<sup>29</sup> On the other hand functionalism needs the agency of state actors to create institutions but does not address the political interactions that would be required, especially the reason that states would voluntarily relinquish part of their sovereignty. In addition, the method or reason for how a group of functional supranational institutions would integrate into a larger entity is not specified. In fact Mitrany was *against* regional integration.<sup>30</sup> Four key criticisms of functionalism are that: it is not scientifically rigorous and lacks a foundational theoretical statement; it has a weak predictive ability; its assumption of technical necessity trumping political determinations in conflictual systems is not valid and perhaps naive; and finally its assumption that governments would follow rational utilitarian logic in policy choices simply because of rationality itself is flawed.<sup>31</sup> Although military integration would have to be an incredibly technical and functional undertaking, Functionalism does not provide a sufficient explanation.

Neo-functionalism incorporates elements of functionalism and federalism and is perhaps the most prevalent integration theory regarding Europe. Chief among the neo-functionalist scholars is Ernst Haas who first articulated key neo-functionalist ideas in 1958 in *The Uniting of Europe*.<sup>32</sup> A key difference with functionalism was the acceptance of politics and agency back into the integration process.

“Neo-functionalism was built around the proposition that an international society of states can acquire the procedural characteristics of a domestic political system. The interested actor and group-based politics assumptions meant that neo-functionalists held that the industrialized, pluralistic and bureaucratic nature of modern Europe ensured the inevitable presence of self-interested groups. The aggregation of the actions of these groups created patterns of behavior that would come to constitute a system.”<sup>33</sup>

These groups in the pursuit of their interests, would desire access to the technical regional supranational institutions created to manage the functional area affecting them so as to influence policy, and would over time, trans-nationalize their interest groups and even change their loyalties from the national to the supranational.<sup>34</sup> Neo-functionalists thought that States would be compelled to integrate in an economic sector based on calculations of interest and economic advantage in discrete technical areas. Integration

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<sup>29</sup> Aybet, *The Dynamics of European Security Cooperation 1945-1991*, 16-21.

<sup>30</sup> Rosamond, *Theories of European Integration*, 37.

<sup>31</sup> Ibid., 39-41.

<sup>32</sup> Ibid., 54.

<sup>33</sup> Ibid., 56.

<sup>34</sup> Ibid., 56.

would then be adopted as a conscious goal, as a shared commitment between elites and leaders of the different states involved for that particular technical area. These functional activities in technical areas based on contractual agreements and institution building when successful creates a positive feedback so that other interest groups in related technical areas seek to create their own integrated functional area. This is described as a “spillover” effect from one functional area to another which then leads to agreements in other areas as interest groups lobby their governments to support integration. This process multiplies until the spillover effect leads to the attainment of a sense of community.<sup>35</sup> In addition, the supranational institutions would act to further their interests working to expand jurisdiction and establishing direct links to the sub-national functional technical communities they were involved with. There are however, preconditions for neo-functionalism to work. These preconditions are that the participating states must have a high level of economic and industrial development, common ideologies and values, and have pluralistic social structures.<sup>36</sup> All these factors were and are present in Europe.

Neo-functionalism, of the theories of integration, offers the best explanation, for example, of the dynamics of the successful European Monetary Union (EMU). In both the French and German cases of the process leading to EMU there were key aspects of Neo-functionalism that were at work. Both saw integration to be in their best interest; for France it is a chance to moderate German economic power and gain some economic benefit, Germany saw EMU as part of the integration process further binding ‘Europe’ together. In the technical areas of creation of the single market, integration was adopted by both countries as a conscious goal. The consistent support for EMU by the major political parties in both countries can be viewed as a shared commitment between elites and leaders. The functional activities in the creation of the common market (the EMS, ecu, Single European Act) based on contractual agreements and institution building, (which were successful) led to the agreements in other areas, (the EMU process) until the spillover effect led to the attainment of a sense of community (or to a common currency).

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<sup>35</sup> Aybet, *The Dynamics of European Security Cooperation 1945-1991*, 16-21.

<sup>36</sup> Rosamond, *Theories of European Integration*, 69.

As useful as neo-functionalism is in this case, it has some inherent limits. The preconditions enumerated by Hass seem to limit the theory to the case of European integration as he himself admitted. Work by Joseph Nye pointed to additional structural preconditions and explanations other than spillover as being behind the observed integration in Europe. Among these were perceptions by participating states regarding the equity of integration outcomes which could hinder integration, perceptions that the costs of integration were low or exportable would speed and deepen integration, and perceptions of external threats and agreed policy responses could explain integration as well.<sup>37</sup> The key problem however, is the continued and persistent activity of states in the process as well as nationalism as a force that limited integration. In addition neo-functionalism suffers from a dependent variable problem. “It was simply impossible to establish accurately what a successful prediction might be, given that the theory had a highly ambiguous notion of the terminal conditions of integration.”<sup>38</sup> The question then is how far will integration based on neo-functionalism extend? Although this theory has some explanatory power in other fields such as economic integration; no research to date has shown that integration in any other area has had a spillover effect into the area of defense. Therefore, while Neo-functionalism and the concept of integration spillover from one policy arena into another may answer questions of economic integration it does not approach the key act of security integration. Without the key decision to integrate defense, integration will stall and fail on the hard reality of security dilemmas in an anarchic world.

Transactionalism also has a widely acknowledged leading scholar; Karl Deutsch. Transactionalists seek to explain regional integration as a process in which the volume and rate of communication and transactions among peoples changes public opinion overtime leading to a sense of “community” within the region.<sup>39</sup> These transactions and communication can take place through all possible topic or policy areas, be they political, economic, social, or cultural, and through all possible methods.<sup>40</sup> This development of a sense of community is thought to be an incremental process which

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<sup>37</sup> Ibid., 72.

<sup>38</sup> Ibid., 87.

<sup>39</sup> Aybet, *The Dynamics of European Security Cooperation 1945-1991*, 23.

<sup>40</sup> Rosamond, *Theories of European Integration*, 42.

does fit with the observed incremental EU integration process. For transactionalists integration happened in ‘security communities’ that were a product of their hypothesis that “a sense of community among states was a function of the level of communication between states.”<sup>41</sup> Deutsch defined integration as “the attainment, within a territory, of a ‘sense of community’ and of institutions and practices strong enough and widespread enough to assure for a ‘long time,’ dependable expectations of ‘peaceful change’ among its population.”<sup>42</sup> Key to the development of this a sense of community among states was the level of reciprocal responsiveness of the transactions between them which could be impeded by technology, economic or industrial limitations, cultural dynamics, population movements, or international concerns. Deutsch did not agree with functionalists that international civil servants in technical functional organizations would be able to create a sufficient volume or impact public opinion positively enough to create the conditions for any sense of community between states.<sup>43</sup> If however a ‘security community’ forms, Deutsch proposed two types; ‘pluralistic security communities’ and ‘amalgamated security communities’. In pluralistic security communities, states maintain their own governments and only had three requirements; compatibility of key values, the ability of important political groups to respond reciprocally without violence, and mutually predictable political, economic and social activities.<sup>44</sup> Deutsch believed pluralistic security communities were more probable in practice and were more durable.

Transactionalism can be criticized on several counts. First, there is an assumption that increased communication would inevitably lead to a positive change of attitude between peoples. Second, even if that occurred, how do informal transactions lead to formal institution building? Finally, there are problems of measurement and operationalization given the concept of integration as being dependent on the degree of intensity felt regarding the mutual identification of identities among groups.<sup>45</sup> On the positive side since Deutsch viewed these concepts as quantitative there would be a large number of historical cases that could be compared regarding attitudinal change and identification, and

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<sup>41</sup> Ibid., 44.

<sup>42</sup> Deutsch, *Political Community and the North Atlantic Area*, 5.

<sup>43</sup> Rosamond, *Theories of European Integration*, 45.

<sup>44</sup> Deutsch, *Political Community and the North Atlantic Area*, 6.

<sup>45</sup> Rosamond, *Theories of European Integration*, 47.

transactionalism has the potential to be a better general theory than neo-functionalism because of the use of multiple historical cases of the creation of security communities to offer a number of theoretical propositions. The chief problem for this study with transactionalism is that there is no explanation of how the process of transition from transactions to integration to amalgamation would occur.<sup>46</sup> It did however provide a basis for further inquiry by Adler and Barnett that will be examined in the section on constructivism and pluralistic security communities.

#### **1-4 (c). Realism and Neo-Realism**

If the Europeans are creating a type of sub-alliance within NATO then there are a number of attributes that will be incorporated in some combination within that alliance. First is the type of bond that defines a state's commitment to the alliance. There can be either a formal bond, when the states have ratified the commitment in accordance with their legal procedures, or an informal commitment. A formal commitment creates a binding contract on the member states recognized by international law. An informal commitment in contrast may or may not be reciprocal. This is formed as a by-product of formal alliances, arms deals, executive agreements, or the extension of a "security umbrella" over a state or area. The second attribute of an alliance is the membership of the alliance. The two aspects of this are the size of the membership, and the power of the members. The third attribute of an alliance is its type. This is the definition of the obligation assumed by the members, and exists in several categories; offensive or wartime alliances, defensive or mutual security, neutrality or nonaggression pacts, and what is called an "entente" or an understanding that can range from offensive to defensive pacts. The final attribute is the scope of the alliance. This involves the duration of the pact, the obligations or burden-sharing agreements, the conditions that will activate the alliance, and the decision making process that will be used within the alliance.<sup>47</sup> The attributes of an alliance that describes ESDI (if it were the European pillar of NATO) are: that it is a formal mutual security alliance incorporating the WEU's Article V

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<sup>46</sup> Ibid., 46-47.

<sup>47</sup> Alan N. Sabrosky, *Alliances in U.S. Foreign Policy*, (Boulder: Westview Press, 1988), 2-4.

guarantee with a membership that only partly overlaps that of NATO; whose members do not have the power (capabilities) of NATO; and its decision making process is internal to the EU with no set duration.

A Realist explanation for the formation of alliances focuses on the power possessed by a state in terms of its military capability, and the addition to that power of the capabilities of another state. A state will enter into an alliance when it sees the benefit of an increase in its military capability. This will either be in response to an external threat (balancing), or in aligning with the dominant military power or threat to preserve its existence (bandwagoning). The Neo-realist perspective relies on the distribution of power/capabilities in the international system to explain balance of power behavior of states in within the system. This means that the relative power of the units in the system (distribution of capabilities) determines how the system functions. Capabilities are an attribute of the unit, while the distribution of capabilities is a function of the system. Waltz believes that at a minimum states seek their own preservation, not to maximize power. Their first concern is to maintain their position in the system. Therefore, states prefer to join the weaker of two coalitions in order to maintain their position in the system and this leads to balances of power.<sup>48</sup> Realism and Neo-Realism both explain alliance formation in terms of balance of power politics.

The central idea of traditional balance of power theory is that weaker states form alliances in order to counter a strong power from dominating them. This is done in order to primarily preserve the existence of the state. Weaker states ally with those states that cannot easily dominate them. States will also tend to join the weaker side not only because of the reduced probability of being dominated, but also because the weaker side is in greater need of assistance and will offer the opportunity for the state to increase its influence vis-à-vis the other states in that alliance. Allying with the stronger side gives the weaker new member state little influence because it adds less to the power of the alliance.<sup>49</sup>

Bandwagoning behavior is the opposite of balancing. The underlying theme of bandwagoning is that states are attracted to strength, or put another way, "in international politics, nothing succeeds like

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<sup>48</sup> Kenneth Waltz, "Chapters 4-5," in *Neo-Realism and its Critics*, ed. Robert O. Keohane (New York: Columbia University Press, 1986)

<sup>49</sup> Stephen M. Walt, *The Origins of Alliances* (Ithaca, New York: Cornell University Press, 1987) Chapter 2.

success".<sup>50</sup> The more demonstrably successful and powerful a state is the more likely other weaker states are to ally with it. On the other hand if a powerful state declines in its relative power, its allies may either defect to the other side or become neutral. In this view most alliances are very fragile. Two reasons may be given for this behavior. Bandwagoning could be thought of as a form of appeasement. By aligning with the rising state or coalition the bandwagoning state hopes to preserve the state by diverting the powerful to attack in another area. The other reason for bandwagoning is that a state will join the winning side in wartime in order to share in the spoils of victory.<sup>51</sup>

Power or capabilities, however, may not be the only factor that nations use to determine which side to ally with. Stephen Walt argues that threat is a more important factor in determining who a state will ally with. He believes that it is more accurate to say that "states tend to ally with or against the foreign power that poses the greatest threat".<sup>52</sup> Walt subdivides the concept of threat into the component elements of aggregate power, geographic proximity, offensive power, and aggressive intention.<sup>53</sup> Aggregate power can be a factor for either balancing or bandwagoning in that powerful states can either reward allies or punish enemies. Geographic proximity is a factor in that states that are closer can project military power more easily than those that are distant, so states are likely to make decisions based in response to nearby powers rather than on what is happening in a faraway country. Offensive power is a factor in that states with a large offensive capability are likely to engender the formation of a counter-balancing alliance, vice a state that may be powerful but lacks the ability to threaten the sovereignty or territorial integrity of another state. Aggressive intentions are the final factor in that states that are aggressive will provoke other states to balance against it. An overly aggressive state will not be seen as a viable bandwagon partner in that the weaker power cannot be sure that it too will not suffer at the hands of its erstwhile partner.<sup>54</sup>

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<sup>50</sup> Ibid.

<sup>51</sup> Geoffrey Blainey, *The Causes of War*, (New York: Free Press, 1988).

<sup>52</sup> Walt, *The Origins of Alliances*, 21.

<sup>53</sup> "Aggressive intention" has been noted by other scholars to be an inherently Constructivist concept.

<sup>54</sup> Walt, *The Origins of Alliances*, 21.

Walt paints a sharp contrast between the types of systems produced by balancing and bandwagoning. A balancing system will be more peaceful because threatening states will provoke other states into resisting them. A bandwagoning system will be much more competitive in that appearances of strength and potential aggression by great powers will be rewarded by alliances of weaker states trying to gain favor or spoils. A statesman then must be careful to ensure that he understands which system he is operating in. Aggressive behavior appropriate for a bandwagoning system in a balancing world will cause other states to oppose you more vigorously, and moderate behavior appropriate for a balancing system in a bandwagoning world will cause your allies to defect and leave you vulnerable to an aggressive coalition. In terms of bandwagoning versus balancing, Walt concludes that weaker states will tend to bandwagon in that they must choose the winning side in a conflict because they add little to a defensive coalition but will suffer from the more powerful winner. Only if they are strong enough to affect the outcome of a conflict is it appropriate for them to balance. On the other hand stronger states will tend to balance because they will gain greater rewards for their contribution to an alliance which meant the difference between victory and defeat.

Traditional realist explanations for alliance formation in the international system do not assist in explaining what the EU is doing. First and foremost there is no conventional military threat to provoke the formation of an alliance. No state in Europe or in geographic proximity to Europe has the offensive military capability to threaten a European NATO, or EU member, state's sovereignty or territorial integrity and no state in Europe or in geographic proximity to Europe is currently seen as an aggressive power. Neither do any transnational threats, the unresolved Balkan conflicts, or Islamist terrorism present a threat to Europe's sovereignty or territorial integrity. Non-traditional threats such as terrorism are also, to a large degree, being addressed by existing alliance and multinational security arrangements. Therefore, no external cause exists for the EU to form a "European Pillar of NATO" to balance against another state or group of states. Second, an alliance already exists that includes Europe with the remaining world superpower. In such an alliance it would be expected that bandwagoning behaviors should be seen (and quite evidently are) in regards to NATO expansion. This is despite the fact that



NATO, according to some realists, should naturally have disbanded following the Cold War.<sup>55</sup> The continued existence and growth of the North Atlantic Alliance poses a fundamental problem for realist explanations for the increased defense cooperation and shift toward integration in the EU. If alliances are formed to increase the power and capabilities of states, or in response to a threat in the international system, why would an “EU pillar of NATO” be needed if NATO already performs the function of collective defense for its member states much better than anything the EU could provide lacking the link to the U.S. superpower? The EU is not balancing against NATO because ESDI is presumably being formed as a “separable but not separate” part of NATO. Balance of power Realist explanations for the formations of alliances in the international system do not explain what the EU is doing.

Neo-Realist explanations view the increase in security cooperation in the EU as a byproduct of the changes in the international system following the Cold War. Seth Jones 2006 book “*The Rise of European Security Cooperation*” takes this view, and furthermore ascribes increased defense cooperation to a “binding” strategy that would keep a unified Germany under control by subsuming its military capability under the aegis of the EU.<sup>56</sup> Other Neo-Realists propose that a relative weakening of the current Hegemonic Power could provide a rationale for the push by Europe to build a European defense capacity. The problem with these arguments is that they ignore the history of previous post WWII European defense integration efforts and specifically the developments with the WEU and its relationship with the EU in the late 1980’s and 1990’s. The decision to move forward with defense integration in Europe predates the changes in the post-cold war international system. There were several attempts to integrate European militaries such as the European Defense Community (EDC, 1952-1954) and the Fouchet plan (1958-1962), neither of which came to fruition. The key however, is found in the “Platform on European Security Interests” adopted by the WEU Ministerial Council on 27 October 1987; also known as the Hague Platform. The WEU Hague Platform is a decision taken **prior** to end of the Cold War and Maastricht. The Hague Platform preamble states that:

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<sup>55</sup> John Mearsheimer, “Back to the Future: Instability in Europe After the Cold War,” *International Security* 15, no 1 (1990)

<sup>56</sup> Jones, *The Rise of European Security Cooperation*, 34-37.

"We recall our commitment to build a European Union in accordance with the Single European Act, which we all signed as Members of the European Community. ***We are convinced that the construction of an integrated Europe will remain incomplete as long as it does not include security and defense.***"<sup>57</sup>

This decision was carried forward as the WEU was revived in the late 1980's through the 1990's and then incorporated into the EU as it absorbed the WEU crisis management function in December 1999 at the Helsinki Council meeting. Increased military cooperation moving toward integration within the EU is therefore not a result of change in international structure; rather it is the latest of several previous attempts which indicates a prior existing motive and impetus. Neo-Realist explanations also ignore the internal changes to German society that had already negated the "German problem" as well as the German government's clear decisions to "bind" itself to Europe prior to the end of the Cold War.<sup>58</sup> All of this serves to reemphasize a chief criticism; Realism and Neo-Realism cannot explain cooperation in a system of anarchy outside of Balance of Power Politics.<sup>59</sup>

#### **1-4 (d). Neo-Liberalism**

If Realist explanations fall short in explaining why Europe is experiencing increased military cooperation shifting toward integration, then perhaps neo-liberalism can provide an answer. This may be productive since the European Union is often pointed to as the primary and most successful example of neo-liberal institutionalism at work. Whereas Realism leads to a focus on the formation of alliances and collective defense mechanisms as an explanation for increased military cooperation moving toward integration within the EU, neo-liberalism looks at collective security mechanisms in explaining the ability of states to work together in terms of their mutual security. Collective Security is based on the idea of all against one. States may retain autonomy in their foreign policy but, within the collective security regime or organization each member has a binding commitment to join a coalition to confront any aggressor with

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<sup>57</sup> Western European Union, *WEU History; Reactivation of WEU: from the Rome Declaration to the Hague Platform (1984-1989)* available from <http://www.weu.int/History.htm> Internet; accessed 12 September 2009 (italics by this author).

<sup>58</sup> Stephen Van Evera, "Primed for Peace: Europe After the Cold War," *International Security* 15, no. 3. (1990)

<sup>59</sup> Robert Axelrod and Robert Keohane, "Achieving Cooperation Under Anarchy: Strategies and Institutions" in David A. Baldwin, ed., *Neorealism and Neoliberalism: The Contemporary Debate*, (New York: Columbia University Press, 1993) Chap 4.

overwhelming power. This should produce a more stable system by preventing war and aggression through confronting an aggressor with an unbeatable opposition, and by fostering a cooperative atmosphere that mitigates the rivalry and hostility of an anarchic world.<sup>60</sup>

Collective security is not an alliance. It does not guarantee that states will join a balancing coalition but, because of their commitment, it makes the formation of a coalition more likely. Under anarchy only those states which are directly threatened will join a coalition to oppose aggression, but with a collective security system those states with an interest in protecting the international order will contribute to a coalition even if not directly threatened, but there is no prior agreement to a defense structure (as in a collective defense organization or existing alliance). However, collective security has several desirable and observable attributes:

"Collective security facilitates identification of aggressor states. ....collective security organizations enhance transparency and encourage states to maintain relatively low levels of military-especially offensive- capability. Because of these features, it would be very difficult for a state to develop robust offensive capability without being detected."<sup>61</sup>

Before a collective security organization can take shape there are several necessary preconditions that must be present in the international system.<sup>62</sup> First, no state in the system can be so powerful that no possible coalition could overcome it. Second, all major powers must have similar views of what is an acceptable and stable international system. There can be no major power that desires to overturn the international status quo. The final condition is that the major powers must enjoy a minimum of political solidarity and moral community.<sup>63</sup> This precondition is similar to Kant's "Federation of Republican States" which is also in part the basis of the Democratic Peace theory.

What then can be said about Europe and ESDI in light of the preconditions and observable attributes of collective security? In "Primed for Peace- Europe after the Cold War", Stephen Van Evera

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<sup>60</sup> Charles Kupchan and Clifford Kupchan, "Concerts, Collective Security, and the Future of Europe" *International Security* 16, no 1 (1991), 118.

<sup>61</sup> Ibid., 126.

<sup>62</sup> Ibid., 124.

<sup>63</sup> Ibid.

makes the case that in fact Europe is different now.<sup>64</sup> The causes of war between the major powers of Europe have dissipated. There are no more aggressive militaristic states, and Germany especially has been transformed. All of Western Europe is solidly in the community of democratic states, so that if Democratic Peace theory has any validity no Western European state will ever again fight another Western European state. The economic integration of the EU ensures that no European state even considers military action against its partners as a viable option. Countries that wanted to enter NATO or the EU have been forced to reach accommodations with their neighbors concerning borders and ethnic minorities to the point where those issues have been eliminated as points of contention between them. No European state has a preponderance of power such that it could overcome any coalition that could be brought against it. Collective security is what best describes the current environment in Europe, and this regime has become embodied in an organization; the OSCE.

The OSCE has become the collective security organization for Europe, and demonstrates the observable attributes of a collective security organization. The OSCE has been extremely successful in promoting transparency and reduced levels of conventional military capabilities through the Conventional Forces in Europe (CFE) Treaty, Open Skies agreement, and other Confidence and Security Building Measures (CSBMs). The elimination of a Cold War threat and the budget reductions needed to meet the criteria for European Monetary Union (EMU) have also contributed in no small part to the sharp decreases in military capabilities of European states. Additionally an ideal collective security organization is inclusive because it is based on the principle of security for all. In this regard the OSCE is the most inclusive European security organization with 54 member countries including Canada and the U.S. and has expanded its activities in election monitoring, treatment of ethnic minorities and citizenship requirements, along with peacekeeping and monitoring activities.

On the other hand ESDI is clearly not a collective security organization. Though obviously based in part on the Kantian "Federation of Republican States" in terms of the membership being western

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<sup>64</sup> Van Evera, "Primed for Peace".

industrialized democracies, it is also in that regard an exclusive organization, currently limited to members of the EU (or previously to the Western European Union - WEU). A collective security organization also is focused on reducing military capabilities and is defensive in nature. ESDI is exclusive and focused on improving power projection capabilities for intervention operations (i.e. a rapid reaction “battlegroups” and deployable HQs) not for defense of member states’ territorial integrity or sovereignty.

In the end while neo-liberalism explains the current environment of European security, and its collective security organization the OSCE, it does not provide an explanation for increased military cooperation shifting toward integration. Collective security in the final analysis is to set the conditions for cooperation and formation of coalitions to oppose aggressor states. However, as noted previously there is no aggressor state to function as an impetus for formation of an opposing coalition or for increased military cooperation shifting toward integration in the EU.

#### **1-4 (e). Constructivism**

There is one final approach to investigate that may shed some light on the problem. Though Constructivism is methodologically and epistemologically interpretive, it is not necessarily post-positivist. For this reason some scholars view it as occupying a middle ground between positivism and post-positivism. Constructivism as an approach proposes that subjective ideas shared among actors determine the interests and identities of those actors. This is because these shared ideas (e.g. what constitutes self and other) give meaning to material objects and forces (e.g. the UK view of French nuclear weapons versus Soviet nuclear weapons). Meaning or purpose is therefore constructed from the shared perceptions of identities and interests which are in turn ideationally based. These identities and interests shape the behavior of actors, and this behavior either reinforces existing ideas about their identities and interests or gives new meaning to them. This intersubjective knowledge is the basis for a structure constraining and shaping behavior through social interaction. Through a socialization process actors ‘co-constitute and co-determine’ each other within this structure. So though the structure shapes the actors, the structure itself is also constructed and altered by the interaction of its constituent actors. This portrays actors as having identities and interests that are both historically path dependent, yet also

highly changeable depending on the context and behavior of other actors. An actor can change its identity and interests either in reaction to other actors, or as an act of will to change a structure that is disadvantageous. In Constructivism ideas and process are the foundation of international politics.<sup>65</sup>

The Constructivist approach so far has tried to explain EU defense integration as an out-growth of the creation of a “European Identity” developed in response to integration in other areas. Identity has deep roots in international relations theory although it has not always had a prominent role in the dominant theories of Realism/Neo-Realism. For instance, the recognition that perception of threat is key in explaining balance of power decisions of states is based on issues of identity; either as aggressor or non-aggressor. Kant’s federation of republican states is clearly based on the concept of a common identity (as republics) which shows identity has a long history in Liberal thought, but Neo-liberalism has tended to focus on structural issues not identity.<sup>66</sup> Constructivism in contrast brings issues of identity to the center of international relations theory. Alexander Wendt argues that “constructed identities can directly affect how states perceive each other and therefore their interactions in the international system,”<sup>67</sup> and Katzenstein puts issues of identity front and center regarding issues of national security decisions taken by states, and defines “*identity* as a shorthand label for varying constructions of nation- and statehood. The process of construction typically is explicitly political and pits conflicting actors against each other.”<sup>68</sup>

In terms of integration, identity can be seen as a topic in the literature concerning nationalism. There are three major viewpoints regarding identity and nationalism. The first view is primordialism which views national identity as unchangeable and as something ‘real’ rather than constructed. Anthony D. Smith, as the chief proponent of primordialism, argues that nationalism draws on a pre-existing history

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<sup>65</sup> Refer to : AlexanderWendt, *Social Theory of International Politics*, (Cambridge, U.K.: Cambridge University Press, 1999), See Also; Ted Hopf, “The Promise of Constructivism in International Relations Theory,” *International Security* 23 (1998).

<sup>66</sup> David Rousseau and A. Maurits van der Veen, “The Emergence of a Shared Identity: An Agent-Based Computer Simulation of Idea Diffusion,” *The Journal of Conflict Resolution* 49, no. 5 (2005): 687-688.

<sup>67</sup> Alexander Wendt, “Anarchy is What States Make of It: The Social Construction of Power Politics,” *International Organization* 46, no. 2 (1992)

<sup>68</sup> Peter Katzenstein, ed., *The Culture of National Security: Norms and Identity in World Politics*, (New York: Columbia University Press, 1996), 6.

and attempts to fashion this history into a sense of common identity based on ethno-symbolism. This does not require that all members should be ethnically identical but rather that they must feel a deep attachment to the nation. Smith also admits that many nationalisms are based on inaccurate parts of their history. This tends to undercut his argument in that as Napoleon once suggested “history is but a fable agreed upon” and therefore could itself be constructed. On the other hand, Smith points to the failed ideological and cultural indoctrination efforts of the communist elites in Eastern Europe for almost fifty years to construct new national identities as an example of a primordial limitation on efforts to construct nationality.<sup>69</sup>

The constructivist view in contrast holds that nothing that is fixed or predetermined in the concept of the nation. Benedict Anderson’s *Imagined Communities - Reflections on the Origins and Spread of Nationalism* can be seen as the start of a constructivist view of national formation. Anderson believed that decline of religion, the development of capitalism, and the technology of print made it possible to imagine the nation. He defined “the nation: it is an imagined political community - - and imagined as both inherently limited and sovereign. It is *imagined* because the members of even the smallest nation will never know most of their fellow-members, meet them, or even hear of them, yet in the minds of each lives the image of their communion.”<sup>70</sup> This process of imagining or creating a national identity is the result of complex social interactions. What is crucial about this view is that:

“national identification can change if and when these social interactions change. A nation in this conception is anything but immutable. It is wholly subjective, dependent on psychology rather than on biology. It could be conceived almost as an affair of the heart, a spiritual communion born out of the complex web of social structures constituting people’s interests, perceptions, and identities.”<sup>71</sup>

In addition, constructivists believe that individuals have multiple identities based on differing relationships, (e.g. father, worker, religious membership, political affiliation etc.) that various factors can

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<sup>69</sup> Anthony D. Smith, “Ethnic Identity and Territorial Nationalism in Comparative Perspective,” in Alexander J. Motyl, ed., *Thinking Theoretically about Soviet Nationalities* (New York: Columbia University Press, 1992), 47–48.

<sup>70</sup> Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism*, rev. ed., (London and New York: Verso, 1991), 6.

<sup>71</sup> Adeed Dawisha, *Nation and Nationalism: Historical Antecedents to Contemporary Debates*, (Malden, MA: Blackwell Publishing, 2002)

trigger a shift from one identity to another, and that identities can change across time and space.<sup>72</sup> People can change identities for example because of economic incentives such as changing jobs, in which case identity becomes a choice based on interests. Identities can be shaped by elites and politicians who either have access to, or control of, the media which gives them great influence in guiding the social interactions that constitute the mechanism of identity formation.<sup>73</sup> At a certain level a new identity can reach a tipping point from which it spreads throughout the population and becomes dominant.<sup>74</sup>

The Modernist Theory of Nationalism espoused by Ernest Gellner also does not view national identity as a given. Gellner argues that nationalism is feature of modern industrial society. Previously states were not structured by nationalist forces, which seems to indicate that industrial states deliberately manufactured nationalism for their own advantage. Nationalism is seen as a tool created by the elites for the purpose of economic gain and economic cohesion. Gellner states 'Nationalism is not the awakening of nations to self-consciousness: it invents nations where they do not exist.'<sup>75</sup> "Nationalism uses the pre-existing, historically inherited proliferation of cultures or cultural wealth, though it uses them very selectively, and it most often transforms them radically. Dead languages can be revived, traditions invented, quite fictitious pristine purities restored."<sup>76</sup> In essence this instrumentalist argument is really a variation of constructivism that posits a deliberate rather than organic creation of nationalism.<sup>77</sup>

In regards to investigating EU defense integration as an out-growth of the development of a "European Identity" produced in response to integration in other areas; so far the research looking at defense arms production and identity has only disproved this proposition.<sup>78</sup> I believe that the process works in reverse; identity results from military integration. I propose that the decision to become "brothers-in-arms" is crucial to the development of an "us" vs. "others" identity. Furthermore, this

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<sup>72</sup> Rousseau and van der Veen, "The Emergence of a Shared Identity," 688.

<sup>73</sup> Katherine Verdery, *National Ideology Under Socialism: Identity and Cultural Politics in Ceausescu's Romania*, (Berkeley: University of California Press, 1991), 15.

<sup>74</sup> Rousseau and van der Veen, "The Emergence of a Shared Identity," 689.

<sup>75</sup> Anderson, *Imagined Communities*, 6.

<sup>76</sup> Ernest Gellner, *Nations and Nationalism* (Ithaca, N.Y.: Cornell University Press, 1983), 55–56.

<sup>77</sup> Adeed Dawisha, *Nation and Nationalism: Historical Antecedents to Contemporary Debates*.

<sup>78</sup> Willie Eugene Cobble, *The Politics of Identity and Interest in European Defense Industrial Collaboration*, (Ph.D. Dissertation, Cornell University, 2004).



identity cannot fully develop without the assurance that the members of “Europe” are not only not a threat but are in fact fighting to defend “Europe” together rather than each constituent state separately. This paper will endeavor to show that an increase in defense integration should, over time, increase the level of identification of members of the EU with a European identity.

This argument follows the literature of “security communities” of sovereign states first articulated by Karl Deutsch in 1957 specifically looking at Europe and North America.<sup>79</sup> A security community is a group of states that have established a durable peace and have determined to avoid military conflict to settle disputes. Security communities are able in some fashion then to overcome the security dilemmas found in an anarchic world. The more recent work by Adler and Barnett from a constructivist perspective took Deutsch’s idea of a pluralistic security community (where states retain separate governments) and refined it by ascribing three main characteristics for a community: (1) shared identities, values and meanings; (2) many-sided and direct relations amongst the units; and (3) diffuse reciprocity.<sup>80</sup> Members of such a community expect peaceful change and resolution to their disputes so that in a “mature” pluralistic security community there is reciprocal trust, a shared identity, and almost no possibility of war.<sup>81</sup> For Adler the key to security communities is shared values, identities, and norms so that in examining the NATO enlargement process he notes: “new members can be admitted only after the ‘applicants’ have learned and internalized their norms. For the original members it’s not enough to behave like us, you have to be one of us”.<sup>82</sup>

Norms are commonly defined as an accepted standard way of behaving or doing things. Katzenstein defines norms as “collective expectations for the proper behavior of actors within a given identity”.<sup>83</sup> Another definition is one that ascribes to ‘institutions’ a similar function of being “a stable collection of practices and rules defining appropriate behavior for specific groups of actors in specific

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<sup>79</sup> Deutsch, *Political Community and the North Atlantic Area*.

<sup>80</sup> Adler and Barnett, *Security Communities*, 31.

<sup>81</sup> Ibid., 33-35.

<sup>82</sup> Emmanuel Adler, “Imagined (Security) Communities: Cognitive Regions in International Relations,” *Millennium*, 26 (1997): 256.

<sup>83</sup> Katzenstein, ed., *The Culture of National Security*: 54.

situations, ...embedded in structures of meaning and schemes of interpretation.”<sup>84</sup> Finnermore and Sikkink clarify this seeming conflation of definitions by describing institutions as “aggregations of norms that interrelate and are structured together.”<sup>85</sup> James Fearon's definition of a norm is that "good people do (or do not do) X in situations A, B, C" and directly ties the concept of norm to a moral basis within the context of its being observed, even though there cannot be a bad norm since its morality is contingent on its social acceptance.<sup>86</sup> This aspect of moral authority does two things, it can regulate behavior and it can form part of an actor's identity.<sup>87</sup> Functionally, norms operate using two aspects; a prescription or proscription that instructs actors what they should or should not do, and the parameters within which the norm applies (when it should be done and to what degree). Furthermore, norms exist at all levels of social life; individual, community, national, regional, and international.<sup>88</sup> Not all norms command the same level of adherence or authority, since they are based on the degree of their social acceptance.<sup>89</sup>

These norms are constructed by interactions of various security community members often through institutions and organizations:

“An extremely important role in the construction of the identity of the community is played by international organizations and institutions, namely those social institutions and material practices that establish behavioral norms, monitoring mechanisms and sanctions in case of non-application of the established norms, and can push the members of the security community to develop mutual expectations and to identify with each other.”<sup>90</sup>

There is additional literature regarding security communities and the development of norms and identities closely tied to the spread of democracy and “Democratic Peace” that presents security communities as

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<sup>84</sup> March and Olson, “The Institutional Dynamics of International Political Orders,” *International Organization* 52, no. 4 (1998): 948.

<sup>85</sup> Martha Finnermore and Kathryn Sikkink, “International Norm Dynamics and Political Change,” *International Organization* 52, no. 4 (1998): 891.

<sup>86</sup> Ibid.

<sup>87</sup> Ronald Jepperson, Alexander Wendt, and Peter Katzenstein, "Norms, Identity, and Culture in National Security." in *The Culture of National Security*, ed., Peter Katzenstein, (New York: Columbia University Press, 1996), 33-78.

<sup>88</sup> Vaughn P. Shannon, “Norms are What States Make of Them: The Political Psychology of Norm Violation,” *International Studies Quarterly* 44, no. 2, (2000)

<sup>89</sup> Finnermore and Sikkink, “International Norm Dynamics and Political Change”.

<sup>90</sup> Carla Monteleone, “The Evolution of the Euro-Atlantic Pluralistic Security Community: Impact and Perspectives of the Presence of American Bases in Italy,” *Journal of Transatlantic Studies*, 5, no. 1 (2007): 70-71.

linked to democratization.<sup>91</sup> However, it is important to note that security communities are not limited conceptually to a democratic context. Pluralistic security communities can either be “loosely-coupled” or “tightly-coupled.” Loosely-coupled security communities simply meet the required properties of a security community but tightly-coupled security communities have a “mutual aid” society and “possess a system of rule that lies somewhere between a sovereign state and a regional, centralized government.”<sup>92</sup> There are several “indicators that demonstrate the existence of a tightly coupled security community; cooperative and collective Security, policy coordination against “internal” threats, free movements of populations, internationalization of authority, a “multiperspectival” polity,<sup>93</sup> and a high level of military cooperation (changed from a *high level of military integration* ).<sup>94</sup> A tightly-coupled security community is just a couple of steps away from an “amalgamated” security community.

Deutsch proposed that amalgamated security communities are those that have a formal integration of their constituent states (a common government) to create a larger entity. Furthermore, Deutsch believed that amalgamated security communities are not as common as pluralistic security communities and are susceptible to factors that make them unstable such as; increased military burdens, shifts in social differentiation, a decline in administrative capabilities, a gap between social expectations and government activity, as well as increased political participation and social mobilization.<sup>95</sup>

For the formation of an Amalgamated Security Community Deutsch believed that several conditions must exist. These conditions include: mutual compatibility of main values (political, and religious); a distinctive way of life and the formation of a common sense of “us”; positive expectations of stronger economic ties and gains and noneconomic gains; an increase in political and administrative capabilities; superior economic growth; unbroken links of social communication as well as multiplicity of

<sup>91</sup> See: Emanuel Adler, *The Spread of Security Communities: Communities of Practice, Self-Restraint, and NATO's Post-Cold War Transformation*, (paper presented at a meeting of the International Studies Association, Chicago, March 2, 2007). See Also; Sonia Lucarelli, *Peace and Democracy: The Rediscovered Link The EU, NATO and the European System of Liberal-Democratic Security Communities*, (research project funded by the NATO Euro-Atlantic Partnership Council Individual Research Fellowships – 2000-2002 Program). available from <http://www.nato.int/acad/fellow/00-02/Lucarelli%27s.pdf> Internet; accessed 23 February 2009.

<sup>92</sup> Adler and Barnett, *Security Communities*, 30.

<sup>93</sup> Ibid., 56-57.

<sup>94</sup> See the discussion on definition pages 3-4, above.

<sup>95</sup> Deutsch, *Political Community and the North Atlantic Area*.

mutual institutions and common transactions; a broadening of the political, social, and economic elites as well as links among the elites of different states; geographical mobility of the population; a not infrequent change of group roles; and considerable mutual predictability of behavior.<sup>96</sup> A socialization process occurs within the security community of peaceful states leading to the creation of a collective identity and eventually to a shared sense of “we-ness” among the cooperating states. An Amalgamated Security Community is formed when such conditions are met.<sup>97</sup> Another implicit factor must be security relationships and military structures within a ‘security community.’ Taking these conditions as implicit parts of the definition of Amalgamated Security Communities and combining them with the explicit definition of Amalgamation provides a definition that is in line with Deutsch’s intent.<sup>98</sup>

Almost no work has been done on Amalgamated Security Communities. This is perhaps due to the dominance of realist and neo-realist paradigms in international relations followed by the ascendance of neo-liberalism and the relative newness of the constructivist approach. Another reason proposed by Adler and Barnett are problems with the concept developed by Deutsch. “Deutsch’s conceptualization of security communities contained various theoretical, conceptual, and methodological problems that undoubtedly scared off future applications.”<sup>99</sup> Perhaps a refining of the concept of Amalgamated Security Communities can provide an understanding of what is occurring in the EU with ESDI.

### 1-5. The Argument

All of the current theoretical approaches share a view of the problem as being a question of a security dilemma between states in a system of anarchy. There is reason to question this view of anarchy and sovereignty regarding what is occurring within the EU as group of states in an era of fractured sovereignty and variable anarchy. This paper proposes that since the use of force cannot be undertaken by one European state against another independently (because of NATO as well as the other European

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<sup>96</sup> Ibid., 46-58

<sup>97</sup> Adler and Barnett, *Security Communities*, 39-45.

<sup>98</sup> The operational definition for Amalgamated Security Communities proposed by this paper therefore is; ***Amalgamated Security Communities are states (de facto or de jure) composed of two or more previously independent political entities that have integrated a portion of their respective militaries and that have voluntarily and formally merged so that they are subject to some form of common government.***

<sup>99</sup> Adler and Barnett, *Security Communities*, 8 and 29.

institutions, WEU / EU / COE etc...) that there exists at the very least a Kantian Anarchy in Europe, and in actuality the existence of a supranational EU (often described as multi-level governance or shared sovereignty) indicates that there is no “anarchy” at all as is usually described in international relations theory. The contribution and purpose of this study is therefore to propose a process for the creation of Amalgamated Security Communities that will serve as an alternative explanation for the creation of ESDI given the lack of a conventional military threat to Europe and the continued presence of NATO. It is an attempt to provide a more precise illumination of the specified phenomena of military integration in the context of state formation and does not attempt to reject or replace other theories relating to the formation of alliances, collective security organizations, or cooperative regimes leading to integration in economic or other policy arenas.

The argument is that once a *decision* is made to integrate military capabilities, especially the integration of the capacity to produce military capability, an Amalgamated Security Community (i.e. a state or state like entity) will form as a result. A crucial caveat is that the degree of integration of military capabilities and the capacity to produce military capability has a direct and serious impact on the internal coherence, war fighting ability, and survival of the resulting state or state like entity.<sup>100</sup> In this schema the administration and bureaucracy associated with defense activities are critical to preparation for war and the founding of an Amalgamated Security Community. The integration of military capabilities and the capacity to produce military capability is the elemental step in the creation of a state. This is a variation of Charles Tilly’s argument that “war made the state; and the state made war,”<sup>101</sup> in that *preparation for war* makes the state. Certainly in Tilly’s construct this is a more accurate statement because he ascribes the establishment of the bureaucratic apparatuses of the modern state to the task of preparing for war. The creation of the ESDI with its increased defense cooperation and move towards integration of forces, and creation of an agency to promote integrated defense production (the EDA) can be best explained as

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<sup>100</sup> Bruce Porter, *War and the Rise of the State: The Military Foundations of Modern Politics*, (New York: Macmillan Inc., 1994), 5-22.

<sup>101</sup> Charles Tilly, “Reflections on the History of European State-Making” in *The Formation of National States in Western Europe*, ed., Charles Tilly, (Princeton: Princeton University Press, 1975), 42.

part of the process of Amalgamated Security Community formation following a decision to integrate. The process can be thought of in the same way that the development of a new norm reaches a tipping point which then leads to cascade effect. In the case of defense integration the tipping point or crucial act is the *decision* to integrate military forces and capabilities to generate military power. This is key because it indicates a trust and willingness to depend on a combined military for security thereby redefining who is included as a 'brother-in-arms'; i.e. redefining the 'us vs. other' identity at the most basic level. It is vital to understand that this is an integration of *organizations* and *structures* that determines who is a soldier, for whom the soldier fights, and what agency equips and organizes those soldiers.

One of the aspects of this process involves military institutions which are "formal bounded frameworks of rules, roles and identities."<sup>102</sup> This includes but is not limited to aspects such as laws, regulations, standard operating procedures, professionalism, ritual, ceremony, and symbols.<sup>103</sup> This is a part of military culture that extends back to primitive warrior bands before recorded history that continues today. Military Institutions are so common that they allow individuals in different military forces from different states to have an almost instant understanding of each other. On a deeper level they bind individuals within a military force to each other and are critical in developing unit cohesion and willingness to fight for each other. They also have a wider application in the community they defend when the armed forces incorporate rituals, ceremonies and extensive symbolism designed not only to create, but also to affirm, a communal identity. In terms of collective identity, rituals serve both an integrative function as well as to delineate distinctions. Rituals do not however, have to be separate from common group practice on special occasions; they can function to affirm group identity when common practice is ritualized.<sup>104</sup> This aspect will be examined further in regards to the functions of the militia in the U.S. in a later section.

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<sup>102</sup> H. George Frederickson and Kevin Smith, *The Public Administration Theory Primer*, (Boulder, CO.: Westview Press, 2003), 72.

<sup>103</sup> Ibid., 73.

<sup>104</sup> Joseph C. Hermanowicz and Harriet P. Morgan, "Ritualizing the Routine: Collective Identity Affirmation," *Sociological Forum* 14, no. 2 (1999): 197-214.

The process of military integration (in contrast with military cooperation), also has an impact on the range of identity choices available to a population. Recent scholarship regarding Social identity and self-categorization theories examining the salience of race categories and American national identity showed that when people identify with broader groups they deemphasize competition, conflict, and negative assessments among the members of subgroups nested within those broader groups, and that when people re-categorize others from being members of an out group to being members of a shared in-group, the same biases that increase the positive assessments of in-group members will be directed toward these new members of their in-group. In terms of policy, when a sub-group identity is salient, e.g., an individual state, the focus will be on the consequences of a policy for that state, whereas if a superordinate identity is salient, e.g., the nation, then the focus will be on the consequences of a policy for the nation.<sup>105</sup> The relationship of this work to the process of military integration is that the process of integration eliminates the sub-group identity of local or sub-state military forces leaving only the superordinate identity of national military forces; i.e. the forces of the Amalgamated Security Community. In other words, the structural choice of integrating military forces has an impact on potential identity formation by eliminating a previous identity carried by the former military organization and substituting a new identity associated with the new military organization. This mechanism in turn reinforces a new national identity in an Amalgamated Security Community. Therefore, as the number of common (integrated) military institutions increases the sense of “us” or a common bond of identity will increase. This process of identity development proposed as an alternative explanation for ESDI is that integration of military capabilities and the capacity to produce military capability will, over time, produce an increased sense of identity in the context of state formation. Military institutions, shared combat experiences, the perception of being “brothers-in-arms”, and above all integrated military structures, will over time, engender a sense of identity in contrast to “others” who are not part of the community. In this manner military integration would lead to identity formation rather than identity causing military integration as previously considered.

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<sup>105</sup> John E. Transue, “Identity Salience, Identity Acceptance, and Racial Policy Attitudes: American National Identity as a Uniting Force,” *American Journal of Political Science* 51, no. 1 (2007): 78-91.

It is also important to note that the military is seen by some scholars as a crucial component of national identity.

“State militaries are not only fighting forces. Militaries are bearers of national identity. They represent nations symbolically to both domestic and international audiences.” “Militaries and national identity are inextricably linked. The military is an embodiment of state power (when a state projects military force, it is generally, in one way or another, literally projecting the bodies of its soldiers), a physical representative of the state *and* a symbolic representative of the people. Cultural constructions of soldiering - representations of ideas about what it means to be a soldier, who should be a soldier, and what soldiers should do or not do—help to create national identity. They do this by projecting ideals and defining roles for the nation. Our image of our soldiers - be it of aggressive warriors, defenders of freedom, defenders of a faith, or humanitarians keeping the peace - reflects our idea of what our role in the world should be. The relationship between national identity and cultural constructions of soldiering is reflexive: how we define ourselves as a people and the role we imagine for ourselves in the world shapes how we define soldiering, at the same time that our vision of our military shapes how we understand our role in the world.”<sup>106</sup>

How the military is created and the structure of jurisdictions for the capacity to create military capabilities has a direct impact on the identity of that force and the nation.

Another aspect of the military integration process is that the process leads to a further centralizing of authority and development of bureaucracy and capacity to generate military force, although the process may not necessarily be rapid absent an immediate threat. The argument presented here differs from Tilly on the other hand because the degree of integration matters. Tilly argues that the modern state was created by those states that could best mobilize resources (raise revenue) through coercion or capital to wage war. In contrast, the degree of integration of forces and production (the efficiency of military institutional arrangements) will have a direct effect on the ability to wage war and provides an explanation for the survival of smaller entities (although obviously not for micro-states like Monaco or Andorra). Spruyt in “*The Sovereign State and its Competitors*” in contrast to Tilly argues that:

“...the ability to wage war is itself determined by the efficacy of particular institutional arrangements. For example, the ability of a particular mode of organization to raise revenue and prevent freeriding will affect its war-making capacity. That is, the ability to wage war is an intervening variable, itself determined by institutional makeup.”<sup>107</sup>

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<sup>106</sup> Melissa T. Brown, *Designing GI Joe: Congress, the Military, and National Identity*. (Prepared for delivery at the Annual Meeting of the International Studies Association, Montreal, Quebec, Canada, March 17-20, 2004).

<sup>107</sup> Hendrik Spruyt, *The Sovereign State and its Competitors* (Princeton: Princeton University Press, 1994), 30.



This process of military integration is the mirror image of state disintegration in which the key step is the decision of sub-state entities to create a military force to oppose that of the state. The success or failure of the state disintegration process is the ability of sub-state entities to produce military power sufficient to contest the state's monopoly on the use of force and even establish and enforce their own sovereignty in a defined geographic area. Integration in the EU can be seen therefore as not being a unique phenomenon, but rather just another example of a process that has been repeated numerous times with varying success. What is unique is the scale of the process as experienced in the case of the EU, but not the process itself.

Amalgamation of military forces and functions is most easily seen in history when one state or entity conquers another. This is done by first destroying the military capacity of the victim, and then not only absorbing its territory and resources, but also by assuming the security function previously exercised by the conquered state. Amalgamation in these cases is achieved using violence and coercion and is no means voluntary nor is it based on integration. This "Amalgamation" without integration in Deutsch's view leads to entities such as the Hapsburg Empire. What are not as readily apparent are those instances where more than one state or entity voluntarily joins together by following a process in which integration is consummated by the decision to integrate military forces and capabilities to generate military power. Integration in any and all other areas may occur, but without the decision to integrate military forces and capabilities to generate military power the result will not be an Amalgamated Security Community; it will not fully merge into a single entity. It is also important to note that Amalgamated Security Communities, when formed by a voluntary merger and integration of some or all of the previous entities military capabilities and capacity to generate military capabilities, are not required to be democratic nor are they bound to be peaceful. Autocratic and militaristic Amalgamated Security Communities are valid examples of the process so long as the initial merger was not by conquest but done voluntarily by the entities that form the Amalgamated Security Community. In addition, this process of voluntary merger and integration of some or all of the previous entities military capabilities and capacity to generate military capabilities, while not requiring an external threat as a cause for integration does not preclude that factor

as being important to the formation of some Amalgamated Security Communities. Some cases of ASC formation clearly result from the external pressure a potential aggressor has on two or more weaker communities to merge over time. On the other hand ASCs may form without such pressure in some cases. This is why, for this paper, the *decision* to integrate military capabilities and the capacity to generate military capabilities *regardless of the motivation to do so* is the key.

Another aspect of the argument put forward in this paper is based in part on the concept of Military Legitimacy as explained by James Gow. James Gow's analysis of civil-military relations builds on work by Finer (*The Man on Horseback*), Huntington (*Political order in Changing Societies*, *The Soldier and the State*), Janowitz (*Military Institutions and Coercion in the Developing World*), and Welch and Smith (*Military Role and Rule*). For Gow a key concept in civil-military relations is Military Legitimacy. Gow illustrates the difficulty of examining legitimacy by reviewing the development of the concept which has been approached from both normative and positive perspectives. The positive objective concept of legitimacy beginning with Weber (*Economy and Society*) attempts to explain 'why' power relationships function whereas the normative approach limits the content of those relationships based on moral considerations that must be recognized as *de jure* legitimacy (Merquior, *Rousseau and Weber*). An objective approach however, does not limit the basis of the power relationships and accepts what exists *de facto*. The problem then is that if legitimacy can be based on acceptance by the masses of domination by elites because they 'believe' it is proper, or because there is an implied contract, or simply because of fear of reprisal, legitimacy must be based on context; in other words there exist a wide range of possible legitimacies. Since legitimacy can be composed of different factors based on context it becomes difficult to identify legitimacy. Gow then turns to the idea that legitimacy can best be examined during a crisis during which the components of legitimacy in that context can be identified by their breakdown (Habermas, *Legitimation Crisis*).<sup>108</sup> The legitimacy crisis attacks the sources of legitimacy and according to Gow:

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<sup>108</sup> James Gow, *Legitimacy and the Military; The Yugoslav Crisis*, (New York: St. Martin's Press, 1992), 9-20.

“Environmental support, effectiveness, and the bases of legitimacy are the key components we must consider. Together, these areas of contract must be understood as a *crasis* – that is, a necessary combination of certain elements. A legitimacy crisis represents a breakdown in this *crasis*.”<sup>109</sup>

Gow then identifies Military Legitimacy as being separate from regime legitimacy (not derived from it) and the legitimacy of civil political institutions and proposes that the term has the advantage of allowing examination of the military’s linkages with the sociopolitical environment in which it exists. Gow defines Military Legitimacy as;

“that quality in an army’s relationship with its sociopolitical environment by which the relationship may be justified; it is why the army has force and powers that are denied the rest of society; it is why the military can act on behalf of and make claims on the political community.”<sup>110</sup>

Military Legitimacy is also described as a *crasis* composed of its bases of legitimacy, performance and environmental approval. Gow divides the bases of Military Legitimacy into two parts which are; functional and sociopolitical. Functional Military Legitimacy involves the tasks associated with defending the state from external threat and (as per Clausewitz) as an instrument of the state’s foreign policy. Military Legitimacy would be greatly reduced if it could not defend its political community from attack. This can be accomplished through deterrence or in the effective application of violence. A legitimate military then functionally will be a professional corporate institution expert in the application of violence and responsive to its state.

The sociopolitical base of legitimacy includes all the non-functional tasks given to the military. Gow gives three categories of the sociopolitical base of legitimacy; political activity; agency; and the nature of the relationship between the armed forces and society. While militaries in liberal democracies tend to be politically neutral, political activity by the military in communist systems is based on direct and formal links between the army as the ‘party in uniform’ and the participation in policy making bodies by senior military officers. Other systems can also have praetorian military intervention in politics to replace the political leadership or even become involved in the process of leadership selection (e.g. secular

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<sup>109</sup> Ibid., 20.

<sup>110</sup> Ibid., 27.

Turkish government guaranteed by the army according to the Turkish constitution). Another sociopolitical basis of Military Legitimacy is military agency which is found in all political communities. Military agency includes the military's "role as a symbol of political unity; its contribution to the socioeconomic infrastructure of the state; and its operating as an instrument of education and socialization."<sup>111</sup> Armies of nation-states may function as a symbol of national pride and unity through military tradition and previous actions such as heroism or winning of a conflict. The military can also be used as an 'emulative model' to encourage sacrifice on the part of the population which in turn reinforces national unity through the perception of shared hardships; the military is then both symbol and model (e.g. Pearl Harbor, Mao's Long March, 101<sup>st</sup> at Bastogne, Marines at Iwo Jima). The military's contribution to the socioeconomic infrastructure of a state can be quite significant, especially in a developing country. Usually these contributions are based on military needs but engineering and construction efforts such as roads, buildings, railroads, communications (telegraph to satellite GPS) and even assistance to agriculture, such as irrigation systems have been critical to the economic development and infrastructure of most states. Gow notes that in communist systems the most advanced sector of the economy tended to be related to defense or military production. Military agency also includes its aspect as the 'school of the nation.' The military is always tied to cutting edge scientific research as well as to educational institutions. "In all political systems, the army acts as an educator, imparting technical skill; in communist armed forces this role is augmented by politico-ideological and moral training."<sup>112</sup> Another factor in military education and socialization (process of changing a civilian into a soldier) is patriotism and education about the linkage of the military to the society; inculcating a sense of duty to the country.

Gow believes that the nature of the relationship between the armed forces and society is the most significant sociopolitical basis for Military Legitimacy. The military must have an 'identity with a society at large' in such a way so that its organization and quality reflects the society.

"Army personnel in an appropriate way must embody values widely held in sectors of the political community – and the armed forces' composition must be generally representative of

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<sup>111</sup> Ibid., 28-29.

<sup>112</sup> Ibid., 30.

social and ethnic cleavages within society. The legitimacy of the armed forces is considered suspect if significant discrepancies exist.” “Some nationalist content is inevitable where one military role is to be a national symbol, one of the ‘trappings of national sovereignty’. But this is not the limit of such a role. The nationalist element is important in generating community support of the military. As stated already, the armed services’ legitimacy is dependent, to some considerable extent, on their congruence with the society that spawns them. Patriotism increases the identification of the population with the military. Even within army ranks, it is the fountain-head of political loyalties in the junior cadre.”<sup>113</sup>

Military Legitimacy is then a crisis of the components of functional legitimacy and the sociopolitical base of legitimacy (political activity; agency; and the nature of the relationship between the armed forces and society) that exist in varying degrees. Military Legitimacy that exists separate from regime legitimacy allows for the analysis of a political role for the military. According to Gow the relationship between Military Legitimacy and Civil Legitimacy is an interaction, such that weak Civil Legitimacy is a precondition for a significant and successful political role for the military. However, the military can only act politically if it has its own legitimacy.<sup>114</sup>

The concept of Military Legitimacy helps to illustrate why the process of military integration ties to the process of identity construction. Functional military legitimacy is not the focus, but rather the sociopolitical base of military legitimacy and the nature of the relationship between the armed forces (as an entity) and society are the relevant points. Consider the new integrating military force of an Amalgamated Security Community that is being formed. Setting aside a political role and looking at military agency; an integrating military could be playing a role as a symbol of political unity, be engaged in building the socioeconomic infrastructure of the state, and at the same time performing activities directly related to education and socialization. A new integrating military force of an Amalgamated Security Community will have a relationship with its society. The nature of this relationship between the military and society involves the reflection of the society by the military in its organization and quality, and the identification of the population with the military. That is the military’s identity as an entity reflects the society and the society’s identity (e.g. national unity) is impacted by the military. This process then involves an intersubjective construction of identity between the military and its society and

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<sup>113</sup> Ibid., 30-31.

<sup>114</sup> Ibid., 31.

should be even more salient during the process of creating a new Amalgamated Security Community than in an established state.

Ronald Krebs however, has cast significant doubt on the traditional mechanisms used to assert that military service has the ability to construct cohesive national communities.<sup>115</sup> This assertion has been made through history but gained popularity in the late nineteenth century when military forces were seen as a “school for the nation” that could be used to build national communities using soldiers as a ‘captive audience’. The traditional mechanisms, occurring in the context of universal military service, that are asserted to connect military service to the construction of national communities, are, according to Krebs; socialization, contact, and elite transformation. The armed forces may socialize soldiers to accept beliefs regarding the national community that reflect the military’s norms. The military brings individuals with various ethnic, religious, and socioeconomic backgrounds together focused on achieving a common goal which creates an environment where barriers between groups are greatly reduced; a so called “contact hypothesis.” Elite transformation as a mechanism would have its effect after military service, when either by a socialization process or through contact, soldiers’ views are altered so that when they later become leaders in society they use their positions to spread the revised definition of the nation in society. Krebs believes that the view of the military as a key institution for the labeling and transmission of social values or as a potential nation builder is unjustified and is based on faulty logic and a lack of empirical analysis. Krebs’ critique is focused on the claim that military *service* can permanently alter an *individual’s* identity.<sup>116</sup>

“All three mechanisms suggest that, under certain conditions, military service leads individuals to reconsider their identity, their attachments, and the definition of their political community, bringing these into accord with their personal experiences and hence with military policy. Once officers and soldiers have internalized the military’s national norms, they diffuse this new vision throughout civilian society.”<sup>117</sup>

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<sup>115</sup> Ronald R. Krebs, “A School for the Nation? How Military Service Does Not Build Nations, and How It Might,” *International Security* 28, no. 4. (2004): 85-124

<sup>116</sup> Ibid., 85-124.

<sup>117</sup> Ibid., 87-88.

Krebs attacks both socialization and the contact hypothesis for the implicit conceptualization in them of an individual's identity as being a property of the individual that can be remade by the military. He notes that identity is "more usefully conceptualized as a property of social relationships. Identity is not subjective and universal, but rather intersubjective and hence contextual."<sup>118</sup> Furthermore, national identity is not an aggregation of individual identities but rather a collective identity resulting from a process of political contestation and negotiation. Therefore, psychological mechanisms (socialization and contact) based on individual mental concepts of the nation "cannot ultimately account for the boundaries of nationality."<sup>119</sup>

A further critique is that the traditional mechanisms asserted to change individual identity through military service do not stand up to close examination. Research on socialization seems to indicate that military service, as well as schools and families all have only modest socialization effects as an individual's political attitudes are formed based on numerous influences. There are limits to indoctrination or education efforts by the military especially when perceived as propaganda, and soldiers are not passive receivers of information but rather are active participants. The result is that while military education can and does teach skills it is less able to change attitudes, and empirical studies indicate that veterans leave service with most of their preexisting values and beliefs mostly intact. A critical factor that seems to mitigate socialization by military service is that the military is not closed off from society and therefore rather than having total control over what a soldier comes in contact with, must compete with other elements in society to influence the soldier's values and beliefs.<sup>120</sup> Likewise the contact hypothesis suffers from several faults, the first of which is that it is theoretically indeterminate so that contact can just as easily confirm or even bolster stereotypes, prejudices, and perceptions of incompatibility rather than reduce them. Research has failed to verify the causal claim of the contact hypothesis. Interpersonal friendships do not automatically result in intergroup amity since individual relationships do not inevitably erase group boundaries or create bonds between groups, and misperception and miscommunication hinder

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<sup>118</sup> Ibid., 88 and 114.

<sup>119</sup> Ibid., 88-89 and 114.

<sup>120</sup> Ibid., 95-99.

the development of positive intergroup relations. Krebs also points out that the history of mixing groups in military units has not led to the elimination of ethnic, racial, or regional cleavages.<sup>121</sup> Socialization and contact mechanisms share several additional flaws. Individuals have multiple identities so that identity is contextual and while soldiers will conform to military norms while in uniform, they may take on other identities in a different environmental context even if the mechanisms worked in the military context. The example is race relations in the U.S. military which made significant advancement but did not directly transfer to society at large and tends to not change after hours social associations. Contact and socialization, even if successful during military service, may not have a long term effect, and few studies have been done on socialization and national identity. Work has been done that suggests that long term attitudes are more the product of stable social networks with other compatible people and that when social networks are disrupted attitudes are subject to change as beliefs are challenged. Learning therefore occurs throughout life but for military values to have long term impact there would need to be a supportive social network which is not the case for most veterans who face pressure to adopt civilian norms. Neither contact nor socialization explains how civilians obtain a definition of their nation corresponding to military norms when diffusion of values is seen to work to transform veterans back into civilians rather than spreading military norms throughout society. Socialization and contact assume almost universal military service which has rarely been the case which makes application of the processes inherently weak.<sup>122</sup> Krebs also points out the flaws in the elite-transformation hypothesis; the first being that it relies on military socialization or contact to reconstruct the veteran's identity. The second is that military service is neither necessary nor sufficient for political success and that various studies have not shown a correlation between military service (even wartime experience) and political activism.<sup>123</sup>

Krebs does not however, completely discount that military service has an impact.

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<sup>121</sup> Ibid., 102-108.

<sup>122</sup> Ibid., 108-115.

<sup>123</sup> Ibid., 117-119.



“Military service undoubtedly has effects in the short run as well as in the long run, in times of peace as well as in times of war, on individuals' personalities, capacities, and prospects.”<sup>124</sup>

His critique is that socialization and contact have only a modest effect. More importantly he completely rejects the concept that national identity is an aggregation of individual identities and therefore the idea that individual psychological mechanisms are tied to the construction of national identity.

“Nations are collectives, and processes of "collectivization" (as opposed to aggregation) are necessarily political, as groups negotiate and continually renegotiate the boundaries of their community.” “First and foremost the product of intergroup contest, the nation does not spring whole from individual decisions with regard to affiliation. The internal structures of militaries can exert a profound impact on their surrounding society and politics and even on the definition of the national political community, but not through apolitical and individualist mechanisms such as formal socialization and informal collaboration and communication.”<sup>125</sup>

Krebs argues that since national identity is a collective identity resulting from a process of political contestation and negotiation that the military as an *organization* has a critical role. The military as an organization can participate in the process of political contestation which shapes and reshapes imagined national identities.

“Militaries are undeniably social as well as functional institutions, shaped by but also shaping social structures and values. Debates over who serves continue to arouse passion in part because the military's manpower policies are widely viewed as having important implications for citizenship and national identity-arguably a polity's most central questions. At the heart of the debate over gays and lesbians serving in the U.S. military, for example, lies less some careful calculus of costs and benefits to the effectiveness of U.S. fighting forces, than fears and hopes regarding what military inclusion and exclusion would mean for the status of homosexuals in the larger society.”<sup>126</sup>

Krebs sees a relationship between the design of militaries and the boundaries of nationality that deserves a new theoretical approach. He suggests that since the “deep politics of national identity” have been seen in debates over the boundaries of citizenship, that examining the issue of citizenship and membership in the community would be useful.

“For those interested in the nexus of militaries and nations, this conceptual move-associating nations with citizenship-may be particularly productive, for, at least since the time of the republican city-states of ancient Greece, the history of citizenship in the West has been intertwined with military service. It suggests a new, potentially rich set of research questions

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<sup>124</sup> Ibid., 89.

<sup>125</sup> Ibid., 120.

<sup>126</sup> Ibid., 89.

regarding the relationship between the policies of militaries and the struggle of social groups for citizenship (both formal and effective).”<sup>127</sup>

Krebs offers an example of how a focus on militaries and the politics of citizenship could frame a research program by identifying three ways in which military service could be used by minorities to fight for more effective citizenship. They could attempt to extract concessions during mobilization for war, or use their military record of sacrifice as a rhetorical device to illustrate the inequity of their political condition. The third way involves the military's manpower policies, which, by indicating how the state may react to minority demands for rights, would “shape the objectives for which the minority strives, the strategy the minority pursues, and the timing of the minority's mobilization; key elements in any process of political contestation.”<sup>128</sup> For Krebs civil-military relations should encompass “a wide range of questions about the relationship between the armed forces, the polity, and the populace,” but the absence of political scientists in this field has left it in the realm of sociological studies. He believes that this should be changed by a new research program that would examine questions about the relationship between the military and society that he considers to be fundamental to the understanding of politics and contemporary affairs.<sup>129</sup>

“The military is the key hinge institution sitting astride and mediating between domestic and international politics. The performance of militaries affects the state's standing and even survival in the international arena, and the armed forces can have a distinct impact on domestic political outcomes. The traditional literature on civil-military relations has long grappled with the armed forces as an actor on the domestic scene and in particular with their role in determining who rules. But an equally ancient tradition asserts the military's potential role in defining the boundaries of the political community. In the absence of identity and the (at least temporary) stability that it brings, political strategizing and action become impossible: Identity is the foundation of politics. Insofar as the configuration of the armed forces shapes the political contestation through which identities are negotiated and renegotiated, the military demands entry into the heart of scholarly analyses-not as an actor but as an institution. Studying the consequences of military service may then elucidate the most basic of political questions.”<sup>130</sup>

The argument of this paper is based on the impact of integrating military organizations not on individual psychological identity mechanisms; although those do have some effect. The focus of the argument is on

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<sup>127</sup> Ibid., 121.

<sup>128</sup> Ibid., 122.

<sup>129</sup> Ibid., 123.

<sup>130</sup> Ibid., 123-124.

the integration of *organizations* and *structures* that determines who is a soldier, for whom the soldier fights, and what agency equips and organizes those soldiers. The desire of this paper and the argument to be examined regarding the process of the creation of Amalgamated Security Communities through the integration of military structures and their subsequent impact on identity formation, is that it may in a modest way advance a research program in line with the one outlined by Ronald Krebs.

## **1-6. Research Design**

Since the purpose of this study is to propose an alternative explanation to observed phenomena, it is clear that the research to be conducted is concerned with why this is happening and how it is occurring in terms of the process. These questions lend themselves to a Case Study approach.<sup>131</sup> In contrast to some views of the EU as a unique and singular historical phenomenon this study takes the view that it is not unique and that the process which provides an explanation for why the EU is creating ESDI can be observed in various historical and contemporary cases.

Social Constructivist methodology is based on the conviction that the political environment is the product of social interactions which can be measured and analyzed by scientific means. Therefore, Constructivism is founded on a subjective ontology (an endogenously derived environment) and an objective epistemology ('which can be measured and analyzed').<sup>132</sup> This objective epistemology and methodology allows various constructivist scholars (Wendt) to claim constructivism as positivist. In that regard this study takes a positivist approach epistemologically that there is a world which can be measured and analyzed, although the subject of constructed identities will play an important part in understanding the process under investigation. A successful use of this approach to investigate a problem dealing with military security, which has to date, been almost the exclusive domain of realism and neo-realism, would be a significant demonstration of the utility of the approach.

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<sup>131</sup> Robert Yin, *Case Study Research Design and Methods*, 4<sup>th</sup> ed., (Los Angeles: Sage Publications, 2009), 8-11.

<sup>132</sup> Ian Manners, *European [security] Union: from existential threat to ontological security* (Copenhagen Peace Research Institute (COPRI) 2002).

A Case Study approach may be criticized as not providing results that can be generalized.<sup>133</sup> This study attempts to counter that by using a Multiple Case Study design that examines the process of integrating military forces and capabilities to generate military power in the context of the formation of an Amalgamated Security Community. This is done so that although the behavior of the subject cannot be manipulated or controlled, the logic of an experimental design can be followed and results can be generalized to support the proposed alternative theory.<sup>134</sup>

For this study the unit of analysis is the state, including possible states in the context of state formation. The proposition is that once a decision is made to integrate military capabilities, especially the integration of the capacity to produce military capability, an Amalgamated Security Community (a state or state like entity) will form as a result, and that this process is the mirror image of state dissolution. This proposition leads to a dichotomous dependent variable: state formation / state dissolution. For Amalgamated Security Community formation the key act is security integration which is a tipping point, while for state dissolution the key act is security disintegration as sub-state elements establish independent military generation capability. The independent variable is the degree of integration of military capabilities and the capacity to produce military capability. The null hypothesis is that Amalgamated Security Community formation or dissolution can occur without integration of military capabilities or dissolution of military capabilities. The majority of evidence that will be used is documentary evidence of historically observed phenomena. This study is concerned with the effects and scope of decisions taken to integrate military forces and capability to produce combat capabilities not “why” the decisions were made.

#### **1-6 (a). Categories of the Independent Variable**

With a multiple case study design each case can assume the role of an experiment as the different variations in the categories of the independent variable outlined below are examined to analyze the resulting change in the dependent variable. The degree of integration of military capabilities and the

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<sup>133</sup> Yin, *Case Study Research Design and Methods*, 15.

<sup>134</sup> *Ibid.*, 12.

capacity to produce military capability (independent variable) has been divided into a number of categories that will be used to compare cases. These are:

- **Category 1. Military forces; consisting of administrative staffs and operational forces.** Militaries consist of elements that perform two functions 1). Administrative preparation such as organizing, training, equipping, and providing for their administration and support and 2.) Combat operations.<sup>135</sup> These functions may be accomplished by discrete organizations or may be found to some degree in a single unit depending on organizational structure. Integration however, can be observed in both functions either separately or together. The least integrated force is one in which only operational (combat) forces work together. The most integrated is one in which the administrative staff is a coherent whole supporting the entire force.

Category 1 Measure of levels of integration:

No integration will be scored as a 0.

Some combat forces integrated = very low, will be scored as a 1.

Integrated combat forces = low, will be scored as a 2.

Integrated Combat forces and some Admin functions = medium, scored as a 3.

Complete integration of forces = high, will be scored as a 4.

- **Category 2. Arms production and Technology as a factor in arms production.** This category is critical to examining integration of the capability to produce military capabilities. Arms production in International Relations literature and research is often used because of the ability to quantify and observe tangible items. Furthermore, arms production is often seen as being at the very heart of national issues of sovereignty and defense identity (e.g. the F16 as a symbol of US power; the MiG 29 for Russia) as well as an economic concern. In addition technology in arms production is often the most observed area of open relative gains concerns among states (e.g. The Missile Technology Control Regime – MTCR; non-proliferation of nuclear, biological or chemical weapons).

Category 2. Measure of levels of integration:

No integration will be scored as a 0.

Sharing low tech production = very low, will be scored as a 1.

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<sup>135</sup> Department of the Army, “U.S. Army Functional Organization” in *FM I The Army*, (June, 2005), Section 2-29 through 2-32.

Sharing some high tech production = low, will be scored as a 2.  
Sharing in high tech and prestigious equipment = medium, scored as a 3.  
Complete sharing in production = high, will be scored as a 4.

- Category 3. Military technology as a factor in operational (combat) forces. This is a clearly observable indicator of the degree of integration of forces. Units that are equipped with different technology find working together difficult. This was observed recently in the mid-1990's as the U.S. Army began to adopt digital technology. National Guard and Reserve forces along with Allied Forces were quite concerned that they would not be able to work with Active U.S. Army units in a crisis.<sup>136</sup>

Category 3. Measure of levels of integration:

No integration will be scored as a 0.  
Commonality limited to non-essential equipment = very low, scored as a 1.  
Common basic equipment = low, will be scored as a 2.  
Using key compatible equipment = medium, will be scored as a 3.  
Using all of the same equipment = high, will be scored as a 4.

- Category 4. Creation of combat power; Doctrine, Training, Leader Development, Organization, Materiel, and Soldiers. (DTLOMS)<sup>137</sup> These are functions that are used by the U.S. Army to describe how it creates land forces but for this paper it will be used to assess integration of the creation process of all types of forces be they land, sea, or air. "Doctrine" provides a common frame of reference, facilitates communication, and helps standardize operations by establishing common ways of accomplishing military tasks.<sup>138</sup> In short it is how a force intends to fight and in this paper will include tactics, techniques, and procedures. "Training" is how a military teaches doctrine as well as use of equipment in units. "Leader Development" includes selection, leadership training, and mentoring of junior leaders by more senior ones. "Organization" is the way in which units are constructed and determines the combat capabilities inherent in each unit. "Material" is equipment provided to each unit. It is closely related to arms production but could also include purchasing civilian items, foreign arms, or confiscating enemy equipment and

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<sup>136</sup> Personal observation while serving on Department of the Army Staff at the Pentagon 1995-1998.

<sup>137</sup> Lieutenant General Frederic J. Brown, U.S. Army, Retired, "Imperatives for Tomorrow" *Military Review* 82, no. 5 (September-October, 2002)

<sup>138</sup> Department of the Army, "Doctrine" in *FM 1, The Army*, Section 1-78.

reusing it. “Soldiers” is shorthand for the personnel aspect of force generation and includes recruiting, and all aspects of human resource management such as promotion or assignment.

Category 4. Measure of levels of integration :

No (DTLOMS) integration will be scored as a 0.

DTLOMS integration limited to non-essential areas = very low, scored as a 1.

DTLOMS integration in basic areas = low, will be scored as a 2.

DTLOMS integration in critical areas = medium, will be scored as a 3.

DTLOMS completely the same = high, will be scored as a 4.

- Category 5. Use and sustainment of military forces; Command and Control (C2) communications,

logistics. These aspects are key factors to examine the degree of integration of operational forces.

“*Command and control* is the exercise of authority and direction by a properly designated

commander over assigned and attached forces in the accomplishment of a mission. Commanders

perform command and control functions through a command and control system.”<sup>139</sup> This is

often the first area of weak integration in which forces from one military are controlled on the

battlefield by the commander of another force or a combined headquarters. The strength of

NATO in large part is that unlike any other alliance it has an “integrated command structure”.

Communications are the foundation of the command and control system but can be examined as a

discrete element. Integrated communications implies tremendous openness and trust in that no

order or secret can be transmitted without everyone in that system having access to it. Logistics

is the “planning and executing the movement and support of forces.”<sup>140</sup> An integrated logistic

system ties operational forces very closely together because it is what provides all the necessities

of life and tools for war, i.e. beans and bullets.

Category 5. Measure of levels of integration :

No integration will be scored as a 0.

Commonality limited to non-essential areas = very low scored as a 1.

Commonality in basic areas = low, will be scored as a 2.

Integration in critical areas = medium, will be scored as a 3.

Completely the same = high, will be scored as a 4.

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<sup>139</sup> Department of the Army, “Definition of Command and Control,” in US Army *FM 6-0, Command and Control of Army Forces*, Paragraph 1-2.

<sup>140</sup> Department of Defense, U.S. Joint Forces Command, *JP 4-0 Joint Logistics*, Terms and Definitions, p. GL-8.

- Category 6. Budget issues regarding public goods and burdensharing. This aspect is important to integration in considering whether defense monies are being used to purchase joint public goods defense capabilities or whether they are being used in purchasing separate capabilities.

Category 6. Measure of levels of integration :

No integration will be scored as a 0.

Limited joint spending on basic requirements = very low scored as a 1.

Some spending from a single multinational source = low, will be scored as a 2.

Funding key functions from single multinational source = medium, scored as a 3.

Funding completely from the same source = high, will be scored as a 4.

A concern that must be addressed here is the issue of Concept Stretching in regards to using contemporary military categories and concepts in examining historical cases. The Military Historian Michael Howard warned that:

“The differences brought about between one war and another by social or technological changes are immense, and an unintelligent study of military history which does not take adequate account of these changes may quite easily be more dangerous than no study at all.”<sup>141</sup>

This issue involves the possible distortion of concepts as they are applied to new cases that go beyond the original context in which they were used. There are a number of methods that can be used to address the problem; making the categories more general to lessen the required minimum attributes, creating radial categories that share a core characteristic but differ in specifics, creating diminished subtypes that are incomplete instances of a category, précising a definition of a category by adding additional defining attributes, and finally changing the overarching concept to either loosen or tighten the meaning of the concept.<sup>142</sup> On the other hand, although much has changed in terms of technology and war fighting throughout history the categories selected for the Independent Variable (The degree of integration of military capabilities and the capacity to produce military capability) are not fixed to one particular time. The selected categories do not involve comparison across time periods but within the historical context of each case. The cross case comparison views the degree of integration (high, medium, or low) between

<sup>141</sup> Michael Howard, “The Use and Abuse of Military History,” *Journal of the Royal United Service Institution* 107, (1962): 7.

<sup>142</sup> For discussions of Concept Stretching See: David Collier and James Mahon, “Conceptual Stretching Revisited: Adapting Categories in Comparative Analysis,” *The American Political Science Review* 87, no 4 (1993): 845-855. See Also; David Collier and Steven Levitsky, “Democracy with Adjectives: Conceptual Innovation in Comparative Research,” *World Politics* 49, no. 3 (1977): 430-451.



cases, not the technological, organizational, or fighting abilities of various militaries through time. In addition each of these are enduring categories that can examine the issue of integration regardless of the specific time period involved due to the particular nature of organizing men to fight. To clarify, no category has a problem with concept stretching:

Category 1. Military forces; consisting of administrative staffs and operational forces is the most obvious measure of integration and it does not matter what type of forces are integrated. It doesn't matter if two entities are merging forces of musketmen or fighter aircraft, but rather the degree to which they integrate.

Category 2. Arms production and Technology as a factor in arms production does not imply comparing bows and arrows to hellfire missiles or how each is made. But rather, do the two entities share production and/or technology as they create their military capabilities as a measure of integration.

Category 3. Military technology as a factor in operational (combat) forces as a category may involve comparing dissimilar forces as an indicator of their ability to operationally integrate. The further apart the forces are in technological level the more difficult it is to integrate and lower the level of integration will be. However, it is within the context of the case and only the measure of the level of integration will be used in cross case comparison.

Category 4. Creation of combat power; Doctrine, Training, Leader Development, Organization, Materiel, and Soldiers. (DTLOMS) What is important here is the similarity of how the two integrating entities create combat power as a measure of integration, not how effective any particular doctrine, organization, method of recruitment, or equipment is. For example an entity with a conscripted force will have difficulties integrating in this category with an entity that has an all volunteer force.

Category 5. Use and sustainment of military forces; Command and Control (C2) communications, logistics. This is not a measure of effectiveness but of similarity / integration. It doesn't matter if the two forces use semaphore, telegraphs, or digital satellite; or railroads and aircraft; what matters is to what extent they use the same methods and if they use these jointly to support all their forces.

Category 6. Budget issues regarding public goods and burdensharing simply looks at funding and proportional contributions within the context of each case as a measure of integration; not to compare levels of defense spending between cases.

The categories selected for the Independent Variable above do not suffer from the problem of Concept Stretching because they measure integration within each case not the effectiveness of dissimilar forces across cases or between time periods.

### **1-6 (b). Selection of Cases**

As part of the explanation proposed by this study, the creation of ESDI by the EU is not viewed as a unique occurrence. Unlike other research regarding the EU in which it is viewed as unique the population of possible cases is greater than 1. As stated earlier, military integration by a conquering power that absorbs its victim has been seen repeatedly throughout history. Less common are instances where integration of military capabilities and the capacity to produce military capability has happened voluntarily. It is those cases that match this paper's definition of Amalgamated Security Communities.<sup>143</sup>

Excluded from consideration were some cases included by Deutsch in his work such as the union between Sweden and Norway. This example was discarded because on examination the Union was found to be extremely limited and not a voluntary amalgamation. The Union was created by the 1814 Treaty of Kiel in which Denmark ceded control of Norway to the Swedish King (Bernadotte; a former French Marshal under Napoleon); it did not however, result in a merger of Sweden and Norway. They each kept their own government, separate military establishments, and separate economic systems. The only "union" between the two was in foreign policy and a shared King. There was a real possibility of armed conflict between the two as they each mobilized their separate forces prior to the peaceful split in 1905.<sup>144</sup>

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<sup>143</sup> Amalgamated Security Communities are states (de facto or de jure) composed of two or more previously independent political entities that have integrated a portion of their respective militaries and that have voluntarily and formally merged so that they are subject to some form of common government.

<sup>144</sup> Baron John Emerich Edward Dalberg Acton, *The Cambridge Modern History, Volume 11* eds., A.W. Ward, G.W. Prothero, Stanley Leathes, (New York: The MacMillan Company, 1909), 680 – 682 and 690. See Also; Royal Norwegian Embassy in London, The centenary anniversary of Norway's independence from Sweden. *War or peace?* available from [http://www.norway.org.uk/ARKIV/Other/history/norway1905\\_2005/warorpeace/](http://www.norway.org.uk/ARKIV/Other/history/norway1905_2005/warorpeace/); Internet; accessed

For similar reasons other potential cases were discarded as not meeting the criteria of voluntary amalgamation with some form of military integration.

In addition it is important to consider cases that could disprove the null hypothesis; that state formation or dissolution can occur without integration of military capabilities or dissolution of military capabilities. Therefore, this paper will use a multiple case study design of those instances where integration of military capabilities and the capacity to produce military capability leading to creation of an Amalgamated Security Community (state like entity) were not imposed by conquest. This includes cases of full military integration, partially integrated cases, cases of potential integration that failed, a critical case to test the null hypothesis regarding state dissolution, and of course an examination of the EU case itself. These cases will then be analyzed to determine whether the argument of this study is valid or not and to illuminate any other points found as a result of this study.

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10 December 2010. See Also; Project 1905: Norwegian-Swedish relations over 200 years. *War or peace?* available from [http://www.nb.no/baser/1905/tema\\_krig\\_e.html](http://www.nb.no/baser/1905/tema_krig_e.html) Internet; accessed 10 December 2010.

## **Chapter 2 Cases of Strong Amalgamated Security Communities:**

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### **2-1. Introduction**

A strong Amalgamated Security Community (ASC) is one in which the central government has the preponderance of capacity and authority to generate military capability. This authority of the central government would be to the exclusion of any sub-state element being able to create military capabilities or possessing the capacity to create military capabilities. A strong ASC must be at a fairly high level of military integration. This chapter intends to examine three cases and an additional example of strong ASC s that occurred in different historical periods, in different cultures, with different economies, and with different governmental systems. These cases of strong ASC s are; The Zulu and Mongols, German Unification, and the Dutch Republic. They provide concrete examples of the process in which military integration and the formation of Amalgamated Security Communities leads to the creation of national identities in the process of state formation.

### **2-2. (a). History of the creation of the Zulu kingdom**

The case of the creation of the Zulu kingdom is significant for several reasons. It is a case that is not European, it is not in a democratic setting, it is a case of primarily preindustrial technology, and it highlights the construction of identity through military integration. In addition there were outside

observers (European explorers, traders, military and colonial officials and settlers) who documented the history of the rise of the Zulu kingdom as it happened. This case is focused primarily on the creation of the Zulu kingdom by Shaka from about 1787 to 1828, and does not extend to later wars such as the one with the British in 1879 that ended the independent kingdom of the Zulus. This period covers the transition from a less complex socio-political organization, the chiefdom, to a more complex and stratified state like entity; the Zulu Kingdom.<sup>145</sup> In exploring this case this paper is not seeking to explain why Zulu expansion or the Mfecane (also called the crushing – a spasm of violence and large displacement of numerous tribes in the region) occurred. There are too many arguments and theories among historians and anthropologists to deal with that here.<sup>146</sup> This paper is circumscribed and only seeks to explain the process of creation of Amalgamated Security Communities; specifically between the Zulu and Mthethwa tribe. It is also important to point out that some scholars have noted that consolidation of tribes was occurring in other parts of Africa at this time, as well as other Northern Nguni besides the Zulus such as the Ndwandwe. Those consolidations are outside the bounds of this case as well.

The Zulus were not a significant tribe of the Nguni speaking Bantu people in 1787 when Shaka was born to Nandi, a princess of the neighboring eLangeni tribe.<sup>147</sup> Shaka's father, Senzangakona was the chief of the Zulu's. Unfortunately for Shaka the union was an extramarital affair that brought shame to both the mother and father because it produced a child. Their society allowed liaisons but not ones resulting in pregnancy; furthermore a chief was supposed to demonstrate better control of his affections. This case was particularly shameful because Senzangakona's mother was from the eLangeni tribe as was Nandi, and therefore the lovers were related. Initially when the eLangeni informed the Zulu chief of the pregnancy the tribal elders responded by saying that there was no pregnancy but rather that Nandi must be

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<sup>145</sup> Kent Flannery, "The Cultural Evolution of Civilizations," *Annual Review of Ecology & Systematics* 3, (1972): 401-404.

<sup>146</sup> "The socio-political changes and associated demographic turmoil and violence of the early nineteenth century in southern Africa were the result of a complex interaction between factors governed by the physical environment and local patterns of economic and political organization." Elizabeth A. Eldredge, "Sources of Conflict in Southern Africa, C. 1800-30: The 'Mfecane' Reconsidered," *The Journal of African History* 33, no. 1 (1992): 35.

<sup>147</sup> Ian Knight and Ian Castle, *Zulu War*, (Oxford, UK.: Osprey Publishing, 2004), 76.

suffering from an “i-Shaka,” a type of intestinal parasite often blamed for false pregnancies. The eLangeni tribe was further shamed by this response but waited until the child was born and then sent word for Senzangakona to come pick up Nandi and his “i-Shaka.” Nandi became Senzangakona’s third wife. The relationship was stormy and after six years Senzangakona banished Nandi and Shaka who went to live with the eLangeni tribe. The shame of the circumstance of his birth was compounded by the disgrace of his mother’s return to her family since in their society a discarded wife had no legitimate place and depended on charity. The eLangeni despised Nandi for shaming them twice and therefore Shaka was made to suffer. He grew up without a father, poor, bullied, teased and scorned. In 1802 when he was fifteen the eLangeni cast out Shaka and his mother because a drought made it impossible for the eLangeni to continue feeding them. Having no resources Nandi took her children to live with a man who had been her lover. After a short time the eLangeni and Zulus soon sent word that they wanted Shaka as a warrior. Shaka hated the eLangeni and feared the Zulus wanted to kill him to remove a potential competitor for Senzangakona’s throne, so Nandi sent Shaka to live with his aunt among the Mthethwa tribe.<sup>148</sup>

The Mthethwa<sup>149</sup> tribe at this time was a significant entity. Under chief Dingiswayo the Mthethwa had become the dominant tribe of the northern Nguni speaking Bantu people.<sup>150</sup> Dingiswayo had established Mthethwa dominance over between thirty to fifty weaker tribes in the region, but was bounded by other strong tribes; particularly the Ndwandwe tribe to the north and Qwabe to the south. Dingiswayo’s method of expansion was both by conquest and negotiation. Once another tribe recognized Mthethwa dominance they could keep their ruling family, so that the result was more of a loose confederation rather than a tightly controlled kingdom.<sup>151</sup> One of the keys to the success of the Mthethwa was Dingiswayo’s formation of age based regiments called “amabutho” as the basis for his army. The

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<sup>148</sup> For an in-depth narrative of Shaka’s early life see; Donald R. Morris, *The Washing of the Spears*, (New York: Simon and Schuster, 1965; reprint, Da Capo Press, 1998), 44-46. See Also; Brian Roberts, *The Zulu Kings*, (New York: Charles Scribner’s Sons, 1974), 33-37.

<sup>149</sup> It is also spelled Mtetwa in various sources.

<sup>150</sup> Mathieu Deflem, “Warfare, Political Leadership, and State Formation: The Case of the Zulu Kingdom, 1808-1879,” *Ethnology* 38, no. 4 (1999): 371-391.

<sup>151</sup> Roberts, *The Zulu Kings*, 42. See Also; Morris, *The Washing of the Spears*, 41-42.

young men of the tribes subject to the Mthethwa were conscripted into these regiments which weakened their ties to their old tribe and strengthened the control of the Mthethwa chief.

“Uncles, brothers, cousins, fathers and sons were then fighting in different regiments, under different leaders. Thus, the new regimental identities and loyalties cut across kinship, residential and ethnic ties and undermined the role of the traditional chief as war leaders and independent arbitrators. The age-old circumcision rituals were replaced by military training. Socially the traditional roles of ancestral groups such as the household, lineage and chiefdoms were greatly undermined to inculcate a higher level of individualism. Power, prestige and self-fulfillment were no longer merely functions of birth, inheritance, age or class.”<sup>152</sup>

This enabled Dingiswayo’s army to grow rapidly as he absorbed additional tribes.

After Shaka went to live with his aunt he was drafted into the Mthethwa army as part of the “Izicwe” regiment and served for six years as a warrior for Dingiswayo. Mthethwa warriors were equipped with a cattle hide shield and a light throwing spear called an assegai. Warfare in this context was not particularly bloody. It involved the belligerents meeting at a predetermined location and then engaging in skirmishing by throwing light spears and blocking them with shields until one side would concede and agree to pay an appropriate tribute. There were also often personal challenges and single battles between champions.<sup>153</sup> Casualties were usually light. Shaka completely changed this arrangement. He redesigned the assegai from a light throwing spear too flimsy for hand to hand combat to a heavy broad bladed spear with a short handle called an “iklwa.”<sup>154</sup> Shaka wielded it underhanded so that it became a close combat stabbing weapon. He devised a technique for using his shield to catch onto the left side of an opponents shield and then by twisting both shields expose the left side of an enemy to a thrust from his new spear.<sup>155</sup> The first time Shaka used his new spear and fighting technique was in a fight against the Butelezi tribe when he stepped forward as the Mthethwa champion to engage in single combat. Shaka blocked the assegaïs thrown at him with his shield and charged his opponent and quickly killed him with his new method. As he charged at the remaining Butelezi warriors the rest of the Mthethwa regiment

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<sup>152</sup> David S. Chanaiwa, “The Zulu Revolution: State Formation in a Pastoralist Society,” *African Studies Review* 23, no. 3 (1980): 12.

<sup>153</sup> Ian Knight, *The Anatomy of the Zulu Army*, (London: Greenhill Books, 1995), 30. See Also; Knight and Castle, *Zulu War*, 75.

<sup>154</sup> Jon Guttman, “Zulu Iklwa,” *Military History* 24, no. 4 (2008)

<sup>155</sup> Morris, *The Washing of the Spears*, 47.

followed him and the Butelezi fled after a short fight. This brought Shaka to the attention of Dingiswayo who promoted him. Soon Shaka was the commander of his regiment; the Izi-cwe.

As the regimental commander Shaka began to implement a number of changes. He got rid of the light throwing spears and made everyone use the iklwa. He taught them his close combat fighting method. He taught them new methods of holding and using their shields to deflect thrown spears. Shaka found that he could move better and had better footing without his oxhide sandals and had his warriors discard theirs. He developed a logistic system of having teenage boys of fifteen or sixteen, called “udibi”, who carried food, water, cooking utensils and bedding for three warriors.<sup>156</sup> He also had doctors (inyanga) go with the regiment to tend the wounded. He devised a new tactical formation called “i’mpondo zakhomow” (beast’s horns) in which the regiment was divided into three parts. The center or “chest” was the largest group whose job was to fix an enemy in place while the two “horns” circled to the side and behind to attack from the side and rear. The center also had a reserve force that was called the “loins”.<sup>157</sup> Shaka’s regiment fought for Dingiswayo in multiple battles as the Mthethwa chief expanded his territory, and Shaka became Dingiswayo’s protégé.<sup>158</sup> In the Mthethwa army Shaka also learned the use of hand signals, smoke signals and the use of scouts and spies. Shaka also instructed his troops to move with their shield under their arms, running in a stooped position, and then place the shield in front of them when they were close to the enemy. This was done partly for ease of movement through the bush but also for the psychological effect of suddenly seeing a mass of shields appear.<sup>159</sup>

Dingiswayo arranged with Senzangakona for Shaka to succeed him as chief of the Zulus, which would ensure Zulu loyalty as well as create an inland buffer state. However when Senzangakona died in 1816 he reneged on his promise and a son from another wife was made chief. Dingiswayo in turn sent Shaka with an escort from his Izi-cwe regiment to claim the throne. Before Shaka arrived his half brother suddenly died so that when Shaka arrived he simply began to rule as chief. He was twenty nine and had

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<sup>156</sup> Ibid., 48.

<sup>157</sup> Knight and Castle, *Zulu War*, 77.

<sup>158</sup> Truman R. Strobridge, “Africa’s Black Napoleon,” *Military History* 19, no. 4 (2002)

<sup>159</sup> Knight, *The Anatomy of the Zulu Army*, 101.



not lived with the Zulus since he was six.<sup>160</sup> He eliminated any opposition and then began to organize his army along the lines of the Mthethwa system that he had helped create.<sup>161</sup>

He first called up all the fighting age males of his tribe which only amounted to 400 warriors. He divided them as the Mthethwa did by age groups (called “amabutho”) into four regiments as the basis for his army. The oldest married men were forced to move to a new kraal (fortified village) to live together but were allowed to keep their wives. The next oldest group who had not married were forced to remove their ‘headrings” (a sign of being eligible to marry) and were not allowed to marry until Shaka permitted. The remaining mature men formed the third group and the senior herd boys the fourth regiment.<sup>162</sup> He then trained them in the use of the iklwa and close combat techniques as well as their respective tasks in the beast’s horns tactical formation. Shaka had new larger shields made and used the Mthethwa system of specific colored shields for each regiment.<sup>163</sup> He implemented the logistic system of udibi (teen boys) as bearers as well as the other innovations he had made with the Mthethwa army. Each regiment also had its own distinctive “uniform” of animal hides and feathers.

Once his small army was trained he started conquering his neighbors; the first were the eLangeni who offered no resistance. Shaka exacted revenge on those who had mistreated him and then incorporated them into his army effectively doubling his strength.<sup>164</sup> As Shaka absorbed new tribes he would incorporate them into the age based amabutho system of his regiments and would have the regiments build “amakhanda” (regimental barracks) where they would live and undergo military training.<sup>165</sup> Shaka absorbed several small neighbors until he was ready for his first large battle. The target was the Butelezi tribe who thought the Zulus were still the weak insignificant tribe as they had been under Shaka’s father. They were the same tribe on who Shaka had first tried out his new method of fighting, but they were not ready for the Zulu onslaught. In the end only a few Butelezi survived and

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<sup>160</sup> Morris, *The Washing of the Spears*, 49.

<sup>161</sup> Roberts, *The Zulu Kings*, 47.

<sup>162</sup> Morris, *The Washing of the Spears*, 51.

<sup>163</sup> Roberts, *The Zulu Kings*, 48.

<sup>164</sup> Strobridge, “Africa’s Black Napoleon,”

<sup>165</sup> Knight, *The Anatomy of the Zulu Army*. 33.

Dingiswayo recognized that he now had a strong ally. Shaka absorbed several more small clans so that within a year of becoming chief, Zulu lands had quadrupled and his army numbered 2000 warriors.

Shaka then fought as Dingiswayo's ally in the 1817 campaign against the powerful emaNgwaneni tribe.

In early 1818, Zwide, chief of the Ndwandwe tribe to the north murdered Dingiswayo's son-in-law. Zwide and the Ndwandwe tribe were an old threat that Dingiswayo had wanted the Zulus to be a buffer against. So now he decided that with the Zulus help he could attack the Ndwandwe. Dingiswayo marched his force to invade the Ndwandwe and instructed Shaka to join him. Before Shaka arrived however, Dingiswayo for some unknown reason wandered away from his army in the company of a few women and was captured by the Ndwandwe. Zwide cut off Dingiswayo's head and attacked the leaderless Mthethwa force. Shaka arrived and took charge of the Mthethwa retreat preventing a complete defeat. This was a key turning point for the merger of the Mthethwa with the Zulus.

"The entire Izi-cwe regiment now flocked to Shaka's standard, as did many individual Mthethwas, bring his total fighting force dose to 5,000."<sup>166</sup>

One of Dingiswayo's half brothers was made chief of the Mthethwa tribe. Unfortunately for them he was incompetent and weak and his rule caused dissention and division. Mthethwa control over the confederation Dingiswayo had created waned as Mthethwa power declined. After a year Shaka was able to replace the incompetent chief with someone loyal to him which at that point merged the Mthethwa with the Zulus.

"Thereafter Shaka killed the legitimate heir of Dingiswayo, appointed a favorite to be the new Mthethwa chief, but soon subsumed the Mthethwa regiments under Zulu control and proclaimed himself the new ruler of the Zulu Kingdom."<sup>167</sup>

Although the weakness of this chief made it easier to replace him there were other factors that strengthened Shaka's ability to merge the tribes. First, Shaka was more Mthethwa than he was a Zulu. He had been a prominent Mthethwa commander, sitting in their councils known for offering wise advice, and had been Dingiswayo's protégé. He had been a despised outcast from the Zulus since he was six; he even

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<sup>166</sup> Strobridge, "Africa's Black Napoleon,"

<sup>167</sup> Mathieu Deflem, "Warfare, Political Leadership, and State Formation: The Case of the Zulu Kingdom, 1808-1879," *Ethnology* 38, no. 4 (1999): 371-391.

had to import chefs to cook his food because he found Zulu food to be substandard.<sup>168</sup> Second, following Dingiswayo's death, disaffected Mthethwas began to join with Shaka, and this intensified to include whole tribes subject to the Mthethwas after Shaka's victory over a vastly superior force of the Ndwandwe at Gqokli Hill.<sup>169</sup> Third, there was a continued threat from Zwide and the Ndwandwe.

“The Mthethwa hegemony and many smaller ones now rallied to Shaka, enlarging his territory to more than 7,000 square miles.”<sup>170</sup>

So although Shaka had to eliminate Dingiswayo's heir to complete the merger of the two tribes, it was just the final step in an ongoing process started voluntarily by the Mthethwa who looked to Shaka as the preferred stronger ruler. By May of 1819 when Zwide sent an army of 18,000 Ndwandwe to finally crush Shaka, the amalgamation of the Mthethwa and Zulu was complete. Shaka was able to completely defeat the Ndwandwe and then consolidated his rule. After only three years as chief Shaka was in absolute control of an area much larger than that of the Mthethwa confederation (over 11 thousand square miles) and could field an army of almost 20,000.<sup>171</sup> He had his new regiments build new amakhanda (barracks) throughout the territory in critical areas. They were also considered the home of the King and he stayed there whenever he traveled.<sup>172</sup>

Shaka however, was not a benign ruler as Dingiswayo's had been. Shaka, became increasing tyrannical and capricious maintaining his throne by the use of terror. When his mother died thousands of his people were killed, for a year there was to be no planting of crops, cows milk was to be dumped on the ground, and no couple could become pregnant or they would be killed, all so that the Zulus would mourn with him. Finally his half-brothers, the sons of Senzangakona, assassinated him in 1828 when he was forty one. One of the assassins, Dingane became the next king. Despite his cruelty, Shaka had created a new society and kingdom in only about 10 years which, although eventually defeated by the British in 1879, still exists as a distinct group within South Africa today.

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<sup>168</sup> Morris, *The Washing of the Spears*, 50.

<sup>169</sup> Roberts, *The Zulu Kings*, 50. Also; Morris, *The Washing of the Spears*, 62.

<sup>170</sup> Strobridge, “Africa's Black Napoleon,”

<sup>171</sup> Morris, *The Washing of the Spears*, 64.

<sup>172</sup> Knight, *The Anatomy of the Zulu Army*, 33.

## 2-2 (b). The Government

Recalling the definition of Amalgamated Security Communities,<sup>173</sup> it is clear that a key aspect of the process of creation of Amalgamated Security Communities is the creation of some form of common government. That the Zulu government was outside of a European context and non-democratic is important for the ability to generalize the process of the creation of Amalgamated Security Communities proposed by this paper.

The first item for examination is the economy and social structure of the Nguni speaking Bantu people on the East coast of southern Africa during this time period.

“A consistent picture emerges from these early accounts of the East coast Nguni: that their societies were well fed and healthy, practicing cattle-rearing as the main economic activity of men, supplemented by the agricultural pursuits of women. Milk, either fresh or sour, formed the staple food, with varieties of grain and many other vegetables providing bulk and nourishment. Meat, mostly garnered from hunting, was also quite commonly eaten, although domestic cattle were too highly valued to be slaughtered for their meat.”<sup>174</sup>

So although there were a variety of foods, the key economic activity was cattle in this society. Cattle were the measure of wealth and status. This did not however mean that there was a good deal of trade.

“The Nguni did not treat the meat and milk from the cattle as capital commodities for marketing. In general, trade played a very minor role in the Nguni society. There were no regular, centralized markets”<sup>175</sup>

In fact wealth tended to accumulate in the hands of notable families.

“Meat and milk were, like the cattle, privately owned, non-cash commodities and their consumption was based on the criteria of kinship and neighborhood. Milk, for instance, generally was drunk only among relatives, thus making it very difficult for cattleless lineages or displaced individuals to make a living.”

Shaka himself experienced this during his time with the eLangeni tribe when he and his mother had to rely on charity to live. Although there was not much trade activity, wealthy Nguni developed a system whereby they collected a form of rent based on cattle.

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<sup>173</sup> Amalgamated Security Communities are states (de facto or de jure) composed of two or more previously independent political entities that have integrated a portion of their respective militaries and that have voluntarily and formally merged so that they are subject to some form of common government

<sup>174</sup> David J. Webster, “The Political Economy of Food Production and Nutrition in Southern Africa in Historical Perspective,” *The Journal of Modern African Studies* 24, no. 3 (1986): 449.

<sup>175</sup> David S. Chanaiwa, “The Zulu Revolution: State Formation in a Pastoralist Society,” *African Studies Review* 23, no. 3 (1980): 7.

“Chiefs and wealthy commoners actually could rid themselves of manual labor altogether by using milk as wages. Under the common practice of clientship they loaned their cattle to the poor and cattleless Nguni who herded the animals in return for milk and occasional gifts of some of the offspring. The client-herdsmen were required to perform certain menial services for the patrons, including assisting in the building of cattle byres, and in fencing the fields and attending the patron his journeys, court attendances and wars. The patron always could recall his cattle at any time if the client-herdsmen did not comply with his wishes. In this way, individuals became both rich and powerful by astutely distributing their herds and thus attracting dependents and followers. The chiefs acquired more cattle from booty, court and death fines and from marriages. They enlarged their followings by absorbing newcomers, and controlled them by generous gifts of cattle and women as well as by acts of economic deprivation or threat of expulsion.”<sup>176</sup>

This traditional system of creating dependents as well as the desire for a better standard of living on the part of the cattleless Nguni would be very important factors for the government that Shaka was to establish.

The structure of the society was based on villages or homesteads often called ‘kraals’. The Zulus practiced a form of primogeniture along with polygamy. This tended to create haves and have-nots within the family. Homesteads also included these distinctions in the arrangement of homes for favored wives (right side) and junior wives (left side). Zulu politics was in many ways family politics writ large as was Medieval European politics with dynastic squabbles among competing heirs.<sup>177</sup> Marriages between royal families were political arrangements, but new wives from other tribes were often suspect as being agents of their fathers, uncles or brothers. Princesses on the other hand, could have prominent positions of their own within their family especially if they remained unmarried.<sup>178</sup> This was the society Shaka was born into, and he used both marriages consolidate his power among the royal families, and unmarried Princesses to govern critical settlements for him.

The critical administrative organization of the Zulu government however, was the regiments and their associated barracks; the amakhanda. These were tangible representations of royal power since each one was considered a homestead of the king. One European observer estimated Shaka’s homestead had a

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<sup>176</sup> Ibid.

<sup>177</sup> Adam Kuper, “The ‘House’ and Zulu Political Structure in the Nineteenth Century,” *The Journal of African History* 34, no. 3 (1993): 487.

<sup>178</sup> Ibid., 484.

circumference of over two miles, but others might only be outposts controlled by members of the king's family.<sup>179</sup>

“Shakas regiments were assigned permanent barracks strategically scattered throughout the kingdom where the soldiers lived and fought together until they were 40 years old when they were allowed to return to their original villages and marry. They maintained their regimental name and identity until they died. “Regiments averaged between 2000 and 5000 professional soldiers who were separated from the civilian pursuits of pastoralism, farming, and family life.”<sup>180</sup>

Men were not prevented from marrying to control population as some researchers have suggested, because women were allowed to marry from about the age of 15 and most men were polygamous so there was no impact on the rate of reproduction.<sup>181</sup> This prohibition was specifically to prolong the period of service by warriors until they were no longer useful in the field. Physically the barracks were constructed on the same plan as a typical homestead with an outer palisade, inner rows of huts for the warriors, cattle pens, an area set aside for royal family (such as an unwed princess who might be the local ruler), or members of a female regiment in service to the king, and an area for the king when in residence.<sup>182</sup> All of the regimental amakhanda had multiple functions. They were training camps where soldiers were trained in the Zulu fighting methods. They were also boarding schools for the udibi boys (equipment bearers), and new cadets (inkwebane), young boys of sixteen or seventeen who had not been made into a regiment yet.<sup>183</sup> The regimental amakhanda were also administrative centers deciding minor judicial matters.

Another of the important innovations of the regimental system was the appointment by the king of two officers (induna) to be commanders of the regiment. Izinduna (plural of induna) were Zulu administrative functionaries and often they were not royals but men who had achieved distinction in some way. Since they were appointed by the King they owed him their position and therefore their loyalty to him.<sup>184</sup> A new bureaucracy of commoner *indunas* selected on merit created opportunities for political

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<sup>179</sup> Knight, *The Anatomy of the Zulu Army*, 51.

<sup>180</sup> Chanaiwa, “The Zulu Revolution: State Formation in a Pastoralist Society,” 13.

<sup>181</sup> Elizabeth A. Eldredge, “Sources of Conflict in Southern Africa, C. 1800-30: The 'Mfecane' Reconsidered,” *The Journal of African History* 33, no. 1 (1992): 27.

<sup>182</sup> Peter Mitchell, *The Archeology of Southern Africa* (Cambridge: Cambridge University Press, 2002), 373.

<sup>183</sup> Knight, *The Anatomy of the Zulu Army*, 56-69.

<sup>184</sup> Ibid., 64.

participation and economic self-improvement, while military service provided opportunities for those who were cattleless.<sup>185</sup> It is clear that the system of administration and centralization put in place by Shaka relied on the Mthethwa structure of age based regiments (amabutho) spread throughout the kingdom to impose the king's rule. Shaka had also learned from his experience with Dingiswayo in the Mthethwa army the value of promotion based on merit. The motor that made this system work however, was the king's control of cattle.

When young boys became cadets and reported to their local regimental barracks the process was called "ukukleza" or drinking the king's milk. This implied that they were coming into the king's service and were dependent on him for their living.<sup>186</sup> It has been proposed that the ability of the king to control the supply of milk in Zulu society was the foundation of his political power.<sup>187</sup> This control was based on the acquisition of new cattle from raids or absorption of new tribes.

"Whenever new or additional wealth was obtained from tribute, wars, raids, court fines or foreign trade, it automatically belonged to the king, who was free to distribute it in the form of gifts, grants, patronage and pensions." "Through centralized redistribution especially of the much prized cattle and women, the king not only became the richest individual in the nation, but also the director of all economic and political affairs. He personally appointed and rewarded all administrators, military officers and regiments. Hence all bureaucrats, subjects, regiments and villages were dependent upon the king and his central government for redistribution, gifts and favors."<sup>188</sup>

When it is remembered that the Zulus under Shaka started out as a very small group, Shaka had dramatically and rapidly increased his wealth in cattle. This allowed him to implement the Mthethwa system of each regiment having a single color of cattle from which to make their shields. European observers living among the Zulu in Shaka's time noted that a redistribution of cattle segregated by color

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<sup>185</sup> "Administratively, Shaka created a new bureaucracy of commoner *indunas* selected on the basis of their exceptional abilities to train, discipline and command the regiment and to administer justice. These military *indunas* also were Shaka's counselors and were assembled regularly to discuss important matters of national policy." "The advisory council was also the supreme court, in which the king presided as the chief justice." "The new bureaucracy created ample opportunities for political participation and economic self-improvement for a large proportion of the masses. Ascribed characteristics such as ethnicity, class, birth and age generally were no longer considered determinant in personnel selection and promotion. Regimental life also provided a viable alternative to many of the previously cattleless and deprived commoners and elites." Chanaiwa, "The Zulu Revolution: State Formation in a Pastoralist Society," 17.

<sup>186</sup> Knight, *The Anatomy of the Zulu Army*, 59.

<sup>187</sup> Paul K. Bjerk, "They Poured Themselves Into The Milk: Zulu Political Philosophy Under Shaka," *Journal of African History* 47, no. 1 (2006)

<sup>188</sup> Chanaiwa, "The Zulu Revolution: State Formation in a Pastoralist Society," 16-17.

to each regiment occurred after each campaign.<sup>189</sup> Under Shaka, conquest and absorption of cattle, people, and land directly bolstered the authority and centralization of the administration which created new regiments and reinforced the army to start the cycle again. For the Zulus under Shaka truly it was a case where; “war made the state and the state made war.”<sup>190</sup> An underlying factor in this proposition was the economic advancement of those people who under traditional Nguni society were poor and cattleless. These people were quite willing to fight and become Zulus to improve their lot in life. Although dependent on the king, their economic and social status had an opportunity to improve based on merit rather than birth.

“Military conquest and despoliation of non-Zulu peoples became the basis of their nationalism which in turn explained and fortified the revolutionary process. The revolution offered every able-bodied male an economic opportunity to acquire cattle, meat and milk against the pre-revolutionary disadvantages of birth rank class and political power.”<sup>191</sup>

Clearly Shaka created a common government and administration that was centralized and dependent on the king. Although the merger of the Zulu and Mthethwa happened fairly early during Shaka’s reign, Shaka had already absorbed the eLangeni and other small tribes prior to the merger to begin the process. Merging with the Mthethwa and incorporating them into the administrative system should also have been easier than with any other group because Shaka’s administrative organization was founded on the Mthethwa regimental system itself. In fact Shaka’s Mthethwa regiment joined him prior to the formal merger of the Zulu and Mthethwa tribes without any problem. Therefore, the merger of the Zulu and Mthethwa tribes under a common government is well within the scope required for an Amalgamated Security Community.

## **2-2 (c). Integration**

The focus of this case is the integration of the Zulu and Mthethwa tribes to form an Amalgamated Security Community based first, as the argument of this paper proposes, on an initial integration of military capabilities and the capacity to produce military capability. This case is a direct example of this

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<sup>189</sup> Knight, *The Anatomy of the Zulu Army*, 104.

<sup>190</sup> Tilly, “Reflections on the History of European State-Making,” 42.

<sup>191</sup> Chanaiwa, “The Zulu Revolution: State Formation in a Pastoralist Society.” 15.



process. Shaka had more experience as a Mthethwa than as a Zulu when the merger of the two tribes began. He had been a despised outcast from the Zulus since he was six but had found prominence among the Mthethwa. He had been a prominent Mthethwa commander, sitting in their councils known for offering wise advice, and had been Dingiswayo's protégé. He developed a new method of close combat warfare based on a weapon he developed that he introduced to his Mthethwa regiment, the Izi-cwe, and then to the rest of the Mthethwa force. His use of signals scouts, and spies were all begun under Mthethwa tutelage. As chief of the Zulu Shaka incorporated the Mthethwa age based regiment (amabutho) system along with the Mthethwa use of different colored shields for each regiment. He incorporated the logistic support system of udibi bearers that he had developed for the Izi-cwe. What Shaka did as Chief of the Zulus was to refine the Mthethwa system. Once he had organized, equipped, and trained the Zulu they operated with the Mthethwa in the 1817 campaign against the emaNgwaneni tribe.

Production of military capabilities includes the forging of the iklwa blades and spears. There were clans who lived in areas where there were surface deposits of iron. A number of them made agricultural implements but only a few made spears. Some of the best smiths were the Mbonambi clan near the coast and the Chube clan near the Nkhandla forest, which were known for their iron work. After they made the blade they would give it to the spear-makers. The Spear-makers would find the proper wood for the shaft and attach the blade using glue and fiber.<sup>192</sup> This process was used by all the Northern Nguni peoples but it was Shaka with the new iklwa blade that made the difference for the Mthethwa and then the Zulu. Although it was reported that the smiths would bring bundles of blades to the king's residence, and be paid with cattle by him, the majority of spears were purchased by the individual warrior and were his personal property.<sup>193</sup>

Another item of greater significance was the war shield. There were several types of personal shields; a small one for dancing, one used by young men when courting, and one about twenty four by

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<sup>192</sup> Knight and Castle, *Zulu War*, 71-72.

<sup>193</sup> Knight, *The Anatomy of the Zulu Army*, 111.

twelve inches for everyday use. However, the war shield (isihlangu) was much larger; about fifty four inches by thirty inches. More importantly it belonged to the king not the individual. They were made from the hides of the king's cattle and kept at the regimental amakhanda and only issued when the regiment was mobilized. They required skill to make and were made either at the king's residence or the regimental amakhanda. The war shield symbolized the warrior being under the protection of the king as well as the warrior's acceptance of his responsibility to obey the king.<sup>194</sup>

Shaka was known also for being an accomplished dancer, singer, and speaker. Dances and song were important parts of Zulu culture and there were songs and dances for almost every aspect of life.<sup>195</sup> Each of Shaka's regiment had its own song and war cry.<sup>196</sup> Traditional dances even today in Zululand include those that have detailed choreographed use of the shield and stabbing spear. It has been noted that these were probably one of the methods used for weapons training in Shaka's time.<sup>197</sup> Regiments preparing to go on campaign were tended by an "isangoma" (a "state" doctor) who would perform various rituals and give them different potions or food, all in an attempt to bind them as a group.<sup>198</sup> The Zulu regiments were also encouraged to compete with each other to build their regimental loyalty. Shaka would have them perform a traditional process called "giya" in which individuals would step forward, boast and act out their past deeds while challenging a warrior of another regiment. Following the limited fighting between the regiments, brave warriors would be rewarded and cowards executed.<sup>199</sup> Shaka also understood the use of ceremony and ritual to foster reverence and loyalty.

"The Kingship was reinforced by elaborate customs, rituals, taboos and official rules of etiquette which were vigorously enforced by Shaka and his officers."<sup>200</sup>

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<sup>194</sup> Ibid., 100-102.

<sup>195</sup> Robert B. Edgerton, *Like Lions They Fought*, (New York: The Free Press Macmillan Inc., 1988), 30-32.

<sup>196</sup> Roberts, *The Zulu Kings*, 48.

<sup>197</sup> Knight, *The Anatomy of the Zulu Army*, 112.

<sup>198</sup> Knight and Castle, *Zulu War*, 82.

<sup>199</sup> Ibid.

<sup>200</sup> Chanaiwa, "The Zulu Revolution," 16.

These rituals, ceremonies, and shared experiences all had an impact. The Zulu regiments were noted for their loyalty to their regiment as well as the high level of unit cohesion and high morale. The amabutho regimental system was the greatest integrator of the Zulus.

“The regiment was the Zulu’s answer to the universal problems of parochialism, ethnicity and xenophobia. Regiments were state-supported units receiving their land, weapons, regalia, cattle and wives from the royal treasury.”<sup>201</sup>

Following the defeat of the Ndwandwe, only three years after becoming chief of the Zulus and only a year after the death of Dingiswayo;

“a new phenomena began to manifest itself. There were scores of clans within Zululand, but such chieftains as survived had been relegated to a status hardly higher than induna, and their royal blood, no longer of political significance, was only a matter of social standing. The clans began to identify themselves with the Zulus, even to refer to themselves as Zulus, and the clan basis of activity began to fade. The political voices of the future would speak not for two or three thousand clansmen, but for a nation of a quarter of a million”<sup>202</sup>

In the case of the Zulus, creation of a national identity was clearly based first on military integration. It is also clear that the merger of the Zulu and Mthethwa was preceded by military integration. Shaka had in effect transformed every able bodied male Zulu into a warrior on the same basis as one of the warriors from his Mthethwa Izi-cwe regiment.

#### **2-2 (d). Measuring the Independent Variable – The degree of integration of military capabilities and the capacity to produce military capability**

This paper argues that once a decision is made to integrate military capabilities, especially the integration of the capacity to produce military capability, an Amalgamated Security Community (a state or state like entity) will form as a result, and that this process is the mirror image of state dissolution. This proposition leads to a dichotomous dependent variable: state formation / state dissolution. For Amalgamated Security Community formation the key act is security integration which is a tipping point while for state dissolution the key act is security disintegration as sub-state elements establish independent military generation capability. The independent variable is the degree of integration of military capabilities and the capacity to produce military capability. Measuring the independent variable

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<sup>201</sup> Ibid., 15.

<sup>202</sup> Morris, *The Washing of the Spears*, 64.

by category in the case of the Zulu based on the evidence that has been presented provides the following results.

**Category 1** - Military forces; consisting of administrative staffs and operational forces. In this case there was a great deal of integration of forces prior to the merger. The Zulus organized, trained and equipped in the same fashion as the Mthethwa, and were significant partners in the 1817 campaign. In addition the Mthethwa immediately after the death of Dingiswayo, under threat from the Ndwandwe, turned to Shaka to lead them and the Zulus as part of the force that prevented a complete defeat. In addition the Mthethwa Izi-cwe regiment along with other disaffected Mthethwa joined Shaka immediately after Dingiswayo's death and during the year that Dingiswayo's incompetent heir ruled. The remaining Mthethwa regiments merged with the Zulus once Shaka placed a loyal chief over them without any problem. The overall assessment for category one – military forces; must be at least medium which equals a score of three. (A high level of integration would have required all of the Mthethwa to join Shaka prior to the merger so there would have been “complete integration”)

**Category 2.** Arms production and Technology as a factor in arms production. The Zulus and Mthethwa used the same equipment of Shaka's design. They were dependent on the same smiths to forge their spears. They used the same type of war shields. Therefore this category must be assessed as being at a high level of integration which is a score of four.

**Category 3.** Military technology as a factor in operational (combat) forces. Again since the Zulus were recreated in the image of the Mthethwa regiments this category must also be assessed at a high level of integration which equals a score of four.

**Category 4.** Creation of combat power; Doctrine, Training, Leader Development, Organization, Materiel, and Soldiers. (DTLOMS). Shaka's creation of the tactical formation called “i'mpondo zakhomow” (beast's horns), the close combat fighting method, carrying of the shield when moving, and going barefoot are all examples of creating a unified doctrine that first guided the Mthethwa and then the Zulus. Shaka developed his training methods for his Mthethwa command first and then implemented and refined them for the Zulus, most likely using songs and dances as part of their training. Shaka learned from

Dingiswayo the value of promoting leaders based on merit rather than bloodlines and he made extensive use of that when he appointed “indunas” to command the regiments. The organization of the Mthethwa regiments on the amabutho system was completely implemented by Shaka with the Zulus. The material used by the Mthethwa regiments particularly the iklwa and system of different colored shields for each regiment was also completely adopted by Shaka for the Zulus. Again, the recruitment method was the age based amabutho system used by the Mthethwa and completely adopted by the Zulus. This category; Creation of combat power based on DTLOMS can be assessed as: Doctrine high 4, Training high 4, Leader Development high 4, Organization high 4, Materiel high 4, Soldiers high 4. This category is assessed as being at a high level with a score of four.

**Category 5.** Use and sustainment of military forces; Command and Control (C2) Communications, Logistics. Again in this area what Shaka had learned and invented when he was a Mthethwa commander is key. Shaka implemented the hand signals, smoke signals, as well as use of scouts and spies he had learned as Dingiswayo’s protégé. He implemented the use of the logistic system of having “udibi” boys who carried food, water, cooking utensils and bedding for his Mthethwa command with the Zulu regiments as well as having doctors to tend the wounded. This category can be assessed as: Command and Control high 4, Communications high 4, Logistics high 4, for an overall level of high with an average score of four.

**Category 6.** Budget issues regarding public goods and burdensharing. In this area there is really only a slight convergence. The Mthethwa did not provide support materially to the Zulu, and although there is an instance of Shaka sending captured cattle to Dingiswayo in tribute, Dingiswayo returned the cattle to show his approval of Shaka’s activities. War material was provided by the individual (spear) and chief (shield). There was no need nor was there a method for joint production of military capabilities. Where there is convergence is the method of acquiring wealth, namely by subjugating other tribes and demanding tribute. For this category there is only minimal integration to speak of so it must be rated as a 1 very low.

When all of the scores of the categories of the independent variable are taken together (Category 1=3, Category 2=4, Category 3=4, Category 4=4, Category 5=4, Category 6=1) the result is an average score of 3.3 which indicates a medium to high level of integration overall in this case.

**2-2 (e). The Mongols: another example of a non-European, non-democratic, aggressively expansionist entity formed by an initial voluntary amalgamation.**

Although the historical record is in many points contradictory and the chronology of his early life is debatable, there is an interesting parallel to the Zulu case in the story of the rise to power of Temuchin; otherwise known as Genghis Khan. Temuchin's early life has some interesting similarities to that of Shaka. Temuchin's mother Ho'elun, was kidnapped by Temuchin's father Yisugei from her first husband and forced to become his second wife, and although a fairly common practice did have an impact on Temuchin's fortunes and future wife Borte. Yisugei was the leader of a small clan (the Borijin) but his great-grandfather had been Kabul Khan who had first united the Mongols. When Temuchin's father was poisoned by Tartars after leaving the boy Temuchin with his future in-law's family (a common practice for the steppe people to earn their future wife) Yisugei's followers abandoned Ho'elun and her children, including Temuchin who returned after Yisugei's death, as well as his other wife and two sons to join with the Tayichi'ut tribe. Ho'elun, Temuchin and the other family members became outcasts left to fend for themselves; which to an extent parallels Shaka's early history of being an outcast. Furthermore, Temuchin and his full brother killed their older half brother Bekhter, supposedly for stealing but also to prevent Ho'elun taking him as a husband and thereby becoming head of the family. Shaka's half brother also was likely murdered to eliminate a family rival for power, but not directly by Shaka. Temuchin was then captured and used as a slave (possibly as punishment for Bekhter's murder) by the Tayichi'ut tribe (who had abandoned his family) which has parallels to Shaka's treatment by his relatives in the eLangeni. Temuchin escaped and returned to his mother. As the head of his family he married Borte, and with her dowry he went to Toghrul (also called Ong Khan) the leader of the powerful Kerait tribe, who had been blood brother to his father, to offer himself as a vassal, and in return to obtain protection. Toghrul plays a role in Temuchin's life almost exactly the same as Dingiswayo did in Shaka's life as mentor, protector,

and military ally, to whom Temuchin was faithful even when Toghrul was ousted from power. The relationship was as a son to a father. It was only when Toghrul, under pressure from his biological son, reluctantly joined with Jamuka (blood brother to Temuchin) to openly fight against Temuchin that the bond was broken. At this point the Merkit tribe, to avenge the kidnapping of Ho'elun, kidnapped Borte. Temuchin asked for help from Toghrul who raised an army and with Temuchin's blood brother Jamuka waged a very successful campaign against the Merkit tribe, recovering Borte and a good deal of loot. Temuchin and Jamuka stayed together after the campaign but when they split apart they became rivals for Mongol leadership although both were subordinate to Toghrul and the Kerait tribe. Following this split numerous individuals, families, and some clans chose to follow Temuchin. They were drawn to him by his generosity and fairness in dividing the loot from the Merkit campaign and his propensity for rewarding loyalty and merit without regard to family relationship or seniority. Jamuka on the other hand was the legitimate ruler of the Jadarat tribe and the tribal chiefs remained loyal to him. Temuchin attracted people who challenged tribal hierarchy and sought to gain a better and freer life, especially serfs who abandoned their masters, by following Temuchin. There were people from many different tribes who joined but especially those subject to the Tayichi'ut tribe found Temuchin to be kinder and more just. This creation of a tribal following from the lower classes of tribal society is similar to the poor and cattleless in traditional Nguni society who joined with Shaka to improve their lives, but it is quite different from Shaka's assumption of power over his pre-existing native tribe. As Temuchin's reputation as a military leader and kind ruler grew, four clans whose leaders were related to Temuchin but senior to him in the family decided to join with him. These senior leaders *voluntarily* decided to elect Temuchin Khan and join forces with him. Although Jamuka retained a larger following (and later had himself named Gur-Khan or supreme ruler) the voluntary election of Temuchin as Khan legitimated his claim to be ruler of the Mongols. This is different than the amalgamation or merger of the Zulu and Mthethwa which were existing units, but the creation of a new entity from the voluntary merger of several existing clans would seem to meet the definition proposed for Amalgamated Security Communities by this paper.

The election as Khan was only the beginning of Temuchin's consolidation of power over the Mongols, as he was betrayed and had to conquer both his blood brother Jamuka and his patron Toghrul.<sup>203</sup>

Besides the early life parallels between Shaka and Temuchin and the voluntary amalgamation of tribes and clans as each initially rose to power, a more important similarity exists in how each reorganized their military forces and thereby integrated their societies. Shaka promoted leaders based on merit rather than bloodlines allowing disadvantaged commoners a path to social and material advancement and used age based regiments to weaken tribe loyalties and reinforce dependence on the king. Temuchin followed a similar policy. Perhaps because of family betrayals as well as those of his blood brother and patron, Temuchin valued loyalty above all else. He promoted followers based on demonstrated loyalty and ability. Commoners, such as shepherds, carpenters, and blacksmiths who had performed loyal service were valued over those who could only claim royal familial relationships. This was a social revolution where even former slaves could become army commanders and even enemies who had proven loyal to their leaders could be absorbed into the new Mongol army and society. This ended the instability and tribal rivalries in Mongolian society and replaced it with a disciplined system loyal to Temuchin. The army as organized by Temuchin played a crucial role in stabilizing the Mongol society. Temuchin organized his army with ten men in a squad or *arban*, one hundred men in a company or *jaghun*, one thousand in a regiment or *mingghan*, and a division of ten thousand men called a *tumen*. In the Mongol army the key rule was that superior and subordinate should serve each other loyally and obediently. Unit commanders of the small units were either the oldest in the unit or were selected by the members, but the larger units were commanded by men personally loyal to Temuchin. The *arban* of ten men, regardless of tribal origin, were to live and fight together loyally as brothers never abandoning each other to capture by the enemy. Even more importantly no one could transfer or leave his *arban*, *jaghun*, *mingghan* or *tumen* on penalty of death. Although close family were allowed to be in units together, and the *jaghuns* and *mingghans* were arranged among the clans and tribes in such a manner that the army could be mobilized

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<sup>203</sup> Paul Ratchnevsky, *Genghis Khan: His Life and Legacy*, trans. Thomas Nivison Haining (Malden, MA.: Blackwell Publishing, 1993), 1-82. See Also; John Man. *Genghis Khan: Life, Death, and Resurrection*, (New York: St. Martin's Press, 2004), 55-102.



quickly, the arrangement of the Mongols and the tribes they absorbed into new units that they could not leave broke the power of the clans and tribal leaders. The leaders of the *jaghuns* and *mingghans* tended to be from the clans and tribes that formed the unit and these commanders who were loyal to Temuchin became the leaders of the clans and tribe by virtue of being their military commander. The clans and tribes then became organized in conformity to the army which prevented them from disintegrating in the way that Temuchin's father's tribe disintegrated. He also instituted another barrier to treachery in the composition of his elite bodyguard unit that eventually numbered ten thousand men. The guards included the sons of the unit commanders who had special privileges, rank equal to their fathers, and in a dispute would be favored over their fathers. A unit commander could not betray Temuchin while his son was in effect a hostage but the guards' loyalty was to Temuchin so that personal loyalty superseded family ties. In addition all those who could not fight were still required to provide service to the Khan which included caring for the logistic needs of the army. Discipline was strict and often was enforced by the death penalty but at the same time in the division of war booty (only if looting was authorized by Temuchin) was done on an equal basis from soldier to commander. The only exception was that beautiful young women were taken to Temuchin. There was one additional change; Temuchin referred to his people not by any ethnic or tribal name but as 'the People of the Felt Walls' indicating the material from which they made their homes.<sup>204</sup> Temuchin was clearly reorganizing Mongol society and integrating the tribes through the organization of his army as Shaka did.

"The entire Mongol tribe became integrated by means of the Army" "Temujin the boy, who had faced repeated rejections ascribed to his lower-status birth, had now abolished the distinction between black bone and white bone. All of his followers were now one united people." "Some of the earlier Turkic tribes used a similar military organization based on units of ten, and Temujin may well have borrowed it from them. Temujin, however, not only utilized the system as a military tactic for war, but he also employed it as the permanent structure for the whole society."<sup>205</sup>

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<sup>204</sup> Leo de Hartog, *Genghis Khan: Conqueror of the World*, (New York: Tauris Parke Paperbacks, distributed by Palgrave Macmillan, 2004), 42-54. See Also; J. McIver Weatherford, *Genghis Khan and the making of the modern world*, (New York: Crown Publishers, 2004), 52-54. See Also; John Man, *Genghis Khan: Life, Death, and Resurrection*, (New York: St. Martin's Press, 2004), 106.

<sup>205</sup> J. McIver Weatherford, *Genghis Khan and the making of the modern world*, (New York: Crown Publishers, 2004), 53.

Temuchin also created a common government and administration that was centralized and dependent on the king as Shaka did. Two key elements of administration were the Yam, a pony express like communications system and the Yassa or code of laws. The Yam was developed to support the army and provide intelligence but over time was also used by merchants for protection as they traveled which increased trade in the Mongol areas.<sup>206</sup> The Yassa was developed using a captured Uighur scribe and in the Uighur script a set of written laws and judgments was developed by Temuchin's adopted brother, a captured Tartar, placed in charge of the task by Temuchin. Temuchin also had the scribes teach the Mongol princes to read the Uighur script.<sup>207</sup> A final similarity between Shaka and Genghis Khan is that the new societies they created were fueled by military expansion to 'pay' their troops. Aggressive military expansion was important to both and they were based initially on a voluntary amalgamation of tribes and military innovation. Amalgamated Security Communities do not need to be European, democratic, or peaceful. They do however; need to have a voluntary merger of groups, and some integration of military forces and the capacity to create military capabilities.

### **2-3 (a). History of the creation of the German Empire**

The unification of Germany provides a clear example of military integration leading to an Amalgamated Security Community, and highlights the process in a well known historical example. In addition, it also provides examples of various levels of military integration that applied to the constituent states of the empire which gives a foreshadowing of the following chapters. This case is focused on the process of the creation of the German Empire from about 1862 until 1871 although some prior events must be mentioned. There is a great deal of literature on the particulars of conflicts and battles that shaped the creation of the German Empire as well as the diplomatic maneuvers that were used by Bismarck during this time, but these are not the focus of attention in this case. Rather, the focus is on particular outcomes that fostered military integration in the North German Confederation and military integration / cooperation between Prussia and the South German States. These and the level of military

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<sup>206</sup> Leo de Hartog, *Genghis Khan: Conqueror of the World*, 40-41.

<sup>207</sup> John Man. *Genghis Khan: Life, Death, and Resurrection*, 105. See Also; Leo de Hartog. *Genghis Khan: Conqueror of the World*, 35-40.

integration and production of military capabilities are the focus of this case. The underlying question of why the decision to integrate the production of military capabilities and forces is also not the focus of the case. The unification of Germany is often portrayed as the result of pan-German nationalism or as the result of power politics as carried out by Bismarck. There may be another factor. Bruce Cronin, in *Community Under Anarchy* notes that:

“neither the romantic nationalist nor the power-and-interests explanations are sufficient. While German nationalism did help to cultivate a transnational German identity among the political actors in Prussia and the German principalities, the creation of Germany was ultimately a political process involving competing definitions of the German nation. It required a prior construction of an amalgamated security community in central Europe, an arrangement that equated the security of the principalities with that of the German nation.”<sup>208</sup>

The construction of this particular amalgamated security community is the focus of this case.

The concept of a German state is a modern construct. There was no clear delimitation of what territory would constitute Germany. The Holy Roman Empire included German as well as numerous non-German populations. Furthermore, the Protestant Reformation had both deeply divided the German speaking peoples as well as led to the devastation of large parts of what would become Germany by the Thirty Years War. As a result there was no concept of pan-German nationalism until the late 1840's. The beginning of the history of German unification is the creation of a loose Confederation of the German states by the Congress of Vienna. The German Confederation's chief political body was the Federal Diet (Bundestag) that met from 1816 to 1866; it was not a parliament of elected representatives but an assembly of ambassadors representing the member states.<sup>209</sup> The second step was the creation in 1834 of the Zollverein, which was a customs union created under Prussian leadership including all of the German states except Austria. It had the effect of creating a single market among the Zollverein participants.<sup>210</sup> Bismarck's failed attempt to create and use a Zollverein Parliament to foster political unification through economic integration will be examined in another chapter.

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<sup>208</sup> Bruce Cronin, *Community Under Anarchy: Transnational Identity and the Evolution of Cooperation*, (New York: Columbia University Press, 1999), 100. (underline by this author)

<sup>209</sup> Historical Exhibition in the Deutscher Dom in Berlin, *Questions on German History; Paths to Parliamentary Democracy*, English ed., (Bonn: German Bundestag Public Relations Division, 1998), pp. 42-45.

<sup>210</sup> Daniel Ziblatt, *Structuring the State; The Formation of Italy and Germany and the Puzzle of Federalism*, (Princeton: Princeton University Press, 2006), 35-40.

After the failed revolution of 1848-1849, liberal democratic social and political pressures became part of domestic German considerations along with an embryonic desire for a unified German state since such a state might allow social, economic, and political reforms. There was not any agreement on how to form such a state. There were competing visions of what should constitute a German state. One view was that of a *kleindeutsch* (little Germany), which would be a state that would include all parts of the old German confederation except for Austria and therefore be dominated by Prussia. The supporters of the *kleindeutsch* version believed the Austrian Empire was a multinational and multiethnic entity that should not be part of a “German” state. The other view was of a *grossdeutsch* (big Germany) supported by the majority Catholic southern German states that would include the German territories of Austria. In late 1847 through early 1848, following a severe European economic downturn, popular uprisings led to the convening of a ‘vorparlament’ or pre-parliament in Frankfurt in March 1848.<sup>211</sup> It demanded that a National Assembly be elected. Elections were held in April, and a Parliament was seated by May 1848. The two major items on its agenda were creation of a central government and a national constitution. The constitution was adopted in December 1848. The government it created had no civil service and no army. The result was an impotent and toothless entity that failed to create a unified Germany through the writing of a constitution.<sup>212</sup> Failing to include the German speaking portions of the Austrian Empire in the new German State, the National Assembly offered the title of Emperor of Germany to King Frederick William IV of Prussia, who rejected it and the constitution for three reasons. First, he did not want to subsume Prussia into ‘Germany’. Second, he did not accept that a parliament of commoners had the right to offer the office to him (only Princes of the German states could make such an offer legitimate). Finally, he still believed that such a state it should include Austria.<sup>213</sup> The end came once the moderates walked out and the remaining left leaning parliament was disbanded by troops from Wurttemberg.

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<sup>211</sup> Hajo Holborn, *A History of Modern Germany 1840-1945*, vol. 3 (Princeton: Princeton University Press, 1982), 83-85.

<sup>212</sup> Ibid., 66-69.

<sup>213</sup> Historical Exhibition in the Deutscher Dom, *Questions on German History; Paths to Parliamentary Democracy*, 86-89. King Frederick William IV wrote that he had refused a “dog collar that would make him a serf of the revolution of 1848.” Holborn, *A History of Modern Germany 1840-1945*, 85-86.

In 1850 Austrian and Barvarian troops intervened in Hesse where Prussian troops almost came into conflict with them but backed down when Russia sided with Austria. The result was the Treaty of Olmütz that the Prussians viewed as a diplomatic humiliation by Austria, but it did restore the German Confederation under Austrian leadership. By 1851 all of the reforms enacted by the revolutionary government were repealed.<sup>214</sup>

The German Confederation, Zollverein, and the failed revolution of 1848-1849 set the preliminary overall historical context for German unification. Despite a common market and a grassroots desire for reform and a united German state, the rulers of the various German principalities had reasserted their rule and prerogatives. At this point there was no reason to believe that a unified German State was possible. It is necessary to turn to Prussian domestic politics as the next step in examining German unification. This does not in any way imply however, that this paper subscribes to a Borussian (Latin for Prussia) view of German history. German historians such as Heinrich von Treitschke advocated the Borussian version of German unification arguing that; “it was the emergence of Prussia as a powerful modern state with its historical mission as the power destined to unify a pre-existing German nation that gave this nation its political expression so that it could fulfill its historical and cultural vocation as a Great Power on the world stage.”<sup>215</sup> After World War II this positive view of a Prussian centric German history was discredited and inverted to a view of German history in which authoritarianism and militarism, also caused by Prussia, led to the disaster of two World Wars. A more balanced view of German history was put forward in 1981 when James Sheehan argued that German history is continuing struggle between centripetal and centrifugal forces of political unification and fragmentation.<sup>216</sup> So it is not Borussianism, instead, this paper must examine Prussia because it established the Amalgamated Security Community that became Germany.

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<sup>214</sup> Historical Exhibition in the Deutscher Dom, *Questions on German History; Paths to Parliamentary Democracy*, 86-89.

<sup>215</sup> Abigail Green, “The Federal Alternative? A New View of Modern German History,” *The Historical Journal* 46, no. 1 (2003): 187.

<sup>216</sup> *Ibid.*, 188.

Politically Prussia had three main contending visions. First there were the Hohenzollern Kings (Frederick William IV, and his brother William) who were willing to subordinate Prussian ambitions to Austrian dominance because they valued their relations with the Hapsburgs and their communal history within the Holy Roman Empire.<sup>217</sup> This was until the treaty of Olmutz which King William viewed as a humiliation.<sup>218</sup> Although King William thought it would be beneficial to integrate some small German principalities into his realm by giving the princes a privileged place in governmental assemblies and by having them serve in the Hohenzollern army and bureaucracy, William's view for the rest of Germany was that Prussia would exert moral leadership over them, not that they should combine with Prussia into a larger German State.<sup>219</sup>

The second vision was that of the Junkers (agrarian nobility) who were not only conservative but tended to be parochial as well. In 1854 Frederick William IV replaced first chamber of the National Assembly with a House of Lords dominated by the Junkers who were then effectively able to veto any legislation and forced a partial return of their pre-1848 privileges.<sup>220</sup> The Junkers were opposed to a national German state. Their interests were based on their position within Prussia and they considered themselves Prussians, not Germans. The Junkers dominated the Prussian civil service and army because 'second sons' and those who had lost estates tended to favor a military or bureaucratic career because they had a higher social status. Bismarck was a Junker who as a student did not agree with idea of a German nation. In his early political career he fought for Junkers class privileges, and as Minister President in 1862 was opposed to having Prussia absorbed into a German national state.<sup>221</sup> Bismarck's (like the rest of the Junkers) loyalty was focused on Prussian patriotism and did not encompass any desire

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<sup>217</sup> Holborn, *A History of Modern Germany 1840-1945*, 31.

<sup>218</sup> Ibid., 111.

<sup>219</sup> Eugene N. Anderson, *The Social and Political Conflict in Prussia: 1858-1864*, (Lincoln Nebraska: University of Nebraska Press, 1954), 119.

<sup>220</sup> Holborn, *A History of Modern Germany 1840-1945*, 106-107.

<sup>221</sup> Ibid., 149-153.

for a German national state.<sup>222</sup> Although not a German nationalist, Bismarck was willing to use German nationalism to advance the interests of Prussia when it was convenient to do so.

Finally, there was the vision of the nationalist and liberal movements that had failed in the revolution of 1848-49. They remained a force in domestic politics and in the National Assembly. Their desire for a German national state resurfaced after the Italian war of unification and resulted in the formation of the Nationalverein (National Union) which advocated a *kleindeutsch* German state.<sup>223</sup>

The reform of the Prussian Army provides the start point for the eventual creation of an Amalgamated Security Community that became Germany. From 1814 until 1859 the Prussian Army was supposed to be organized according to the “Law on the Obligation to Perform Military Service.” According to this law every Prussian male was obliged to perform military service from age twenty until age fifty. If conscripted he served three years in the regular army and two years in the regular army reserves. Afterward he became a member of the militia (Landwehr) until age forty when he then passed into the home guard (Landstrum) to finish his obligation at age fifty. In practice, conscription was by lottery based on birth month (men born in December rarely served). From 1816 to 1850 the percentage of men in the army shrank from 1.25 percent to 0.79 percent of the Prussian population.<sup>224</sup> In 1858 Prince William replaced his ill brother King Frederick William IV as King of Prussia. King William was a professional soldier who recognized the weak state of the Prussian Army. King William also believed that “Prussia could maintain her place among the European powers only through a strong army and that her strength and effectiveness depended on the preservation of the exclusive royal control of the army and the state executive.”<sup>225</sup> Albrecht von Roon was a career soldier and General who had served under Prince William. He thought reliance on the Landwehr (citizen-soldiers) was a handicap since they required the

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<sup>222</sup> “You will not find in the army any more than in the rest of the Prussian people, any need for a national rebirth. They are satisfied with the name Prussia, and are proud of the name Prussia.... Prussian we are and Prussian we wish to remain.” Bismarck in; Otto Pflanze, *Bismarck and the Development of Germany: The Period of Unification, 1815-1871* (Princeton: Princeton University Press, 1963), 74.

<sup>223</sup> Holborn, *A History of Modern Germany 1840-1945*, 143.

<sup>224</sup> Wilhelm Deist, “Remarks on the Preconditions to Waging War in Prussia-Germany 1866-71” in *On the Road to Total War; The American Civil War and the German Wars of Unification, 1861-1871*. ed., Stig Forster and Jorg Nagler (New York: Cambridge University Press, 1997), 312-313.

<sup>225</sup> Holborn, *A History of Modern Germany 1840-1945*, 111.

government to have to consider popular opinion in deciding policy matters.<sup>226</sup> In 1858 von Roon proposed to King William a method to reform the Prussian Army. He advocated abolishing the civilian administration of the Landwehr and making it organizationally closer to the regular army. To do this he proposed area commands staffed by regular army officers who would train the Landwehr units to make them a more effective and ready reserve for the regular army. The Landwehr units would also be divided so that the oldest eleven age groups would be assigned to garrisons, rear areas, and forts, while the youngest five age groups could be used with the field army. The most controversial proposal was that men should serve seven years with the regular army (three active and four reserve). This would immediately increase the numbers in the regular army by making men available for longer periods of service. In addition von Roon proposed increasing the professionalism of officers and NCOs by closer initial screening, education, and training. King William agreed with these proposals and appointed von Roon head of a commission to prepare legislation to enact these reforms.<sup>227</sup>

This is the point where liberal domestic political views in the National Assembly clashed with the Monarchy. The original Landwehr system was popular with the liberals and affluent middle-class who made up a large part of the Landwehr's separately appointed junior officer corps.<sup>228</sup> It was also seen in the National Assembly as a political balance against the power of the King. Liberals viewed universal conscription as an obligation that gave citizens a part in public affairs in exchange for service, while von Roon and the King viewed military service as a required tribute owed to the Monarch. General Edwin von Manteuffel, head of the personnel division of the War Ministry, proposed an organizational reform that greatly reinforced the king's position as commander of the army with no parliamentary oversight. Since the War Ministry was required to report to the National Assembly, von Manteuffel suggested the King form a royal war cabinet through which he could command the army outside the War Ministry and

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<sup>226</sup> Ibid., 138.

<sup>227</sup> Michael Howard, *The Franco-Prussian War*, (New York: Routledge, 1988), 18-20.

<sup>228</sup> Holborn, *A History of Modern Germany 1840-1945*, 140.



parliamentary oversight. King William created it in 1859 with von Manteuffel as chief and removed all authority over appointments from the War Ministry. This allowed him direct command over the army.<sup>229</sup>

The next act by King William ensured a fight with the National Assembly, which also supported a stronger military, but one based on more liberal principals with some parliamentary oversight. The King replaced the liberal War Minister with von Roon.<sup>230</sup> Replacement of a liberal with a reactionary monarchist guaranteed a fight in the National Assembly which began over the Army bill of 1860. This bill was designed to implement von Roon's reform measures. It called for a doubling of infantry regiments, large increases in artillery and cavalry, expansion of the officer and NCO corps, and the conscription of sixty thousand recruits per year versus forty thousand as had been the quota under the old system. It called for a three year initial service in the regular army followed by a four year regular reserve obligation. The National Assembly was willing to fund a large increase and go along with most of the proposals except the third year of regular army service. Although not considered essential by most of the Prussian Generals, the King was absolutely committed to the third year of service. The King, von Roon, and von Manteuffel were so disinclined to have any parliamentary involvement or oversight of army command and organization that they refused to compromise and withdrew the bill. Instead, they asked for a provisional appropriation of money to cover military expenditures into 1861 which the National Assembly approved.<sup>231</sup> In fact von Roon had already begun to implement his reforms in 1859 and continued to do so in complete disregard of the parliament. The conflict became a constitutional crisis in September 1862 when the National Assembly refused all further money for the army. At this point, facing a complete political defeat, King William considered abdication. He was persuaded by von Roon to instead summon Otto von Bismark to become Minister-President.<sup>232</sup>

Bismarck was made head of the Prussian government to resolve the constitutional crisis, not to unify Germany or increase Prussian power. His first move was to assert that the king had the obligation

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<sup>229</sup> Ibid., 138-139.

<sup>230</sup> Howard, *The Franco-Prussian War*, 20.

<sup>231</sup> Holborn, *A History of Modern Germany 1840-1945*, 139-141.

<sup>232</sup> Ibid., 145-148.

to take all necessary actions to maintain the well-being of the state based on article 109 of the 1850 constitution. This was used to justify the government collecting taxes without authorization by parliament. Also, War Minister von Roon had arranged for alternative sources of funding for the army so that by 1865 the government had enough money to mobilize and pay for a whole campaign. It got the money principally from an arrangement with the Cologne-Minden Railway.<sup>233</sup> Bismarck simply ignored the parliament and governed without it, supported by the army and the Prussian civil-service.

Bismarck as a conservative Prussian Junker was motivated by a desire for internal stability and monarchical domination in Prussia and the desire for greater Prussian power in Europe.<sup>234</sup> An indicator of what he intended to do in foreign policy was his “Iron and Blood” speech in the budget commission of the parliament in which he stated:

“Germany does not look at Prussia’s liberalism but at her power. Prussia must keep her power together for the auspicious moment, which has already been missed a few times; the Prussian boundaries are not favorable for the formation of a healthy state. The great questions of the age are not settled by speeches and majority votes-this was the error of 1848-1849 - but by iron and blood.”<sup>235</sup>

Bismarck soon had an “auspicious moment” to increase Prussia’s external power and internal stability. The duchies of Schleswig-Holstein were majority German, Holstein had been a member of the German Confederation since 1815, and they had separate succession laws from the Danish crown. The issue of limited local administrative jurisdiction and succession was supposed to be settled by the London Treaty of 1852.<sup>236</sup> The provisions of the treaty were not kept and in November 1863 the Danish parliament passed a new constitution incorporating Schleswig into Denmark. Austria and Prussia demanded that the Danish constitution be revoked. When Denmark refused they both sent troops and were joined by several of the smaller German states. The peace treaty of Vienna in October 1864 separated Schleswig-Holstein

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<sup>233</sup> Gordon A. Craig, *The Politics of the Prussian Army 1640-1945*, (New York: Oxford University Press, 1964), 174.

<sup>234</sup> Otto Pflanze, *Bismarck and the Development of Germany: The Period of Unification, 1815-1871*, (Princeton, Princeton University Press, 1963), 11.

<sup>235</sup> Holborn, *A History of Modern Germany 1840-1945*, 162.

<sup>236</sup> *Ibid.*, 169.

from Denmark and gave them to Prussia and Austria to administer jointly.<sup>237</sup> Removing Danish claims to the majority German Schleswig-Holstein had been a liberal and nationalist cause in 1848-49. Therefore, internal to Prussia the war with Denmark strengthened the government and weakened the liberal opposition.

In the middle of the conflict with Denmark, Prussian General Helmuth von Moltke, who had become Chief of the Prussian General Staff in 1858, was appointed as Chief of Staff to Prince Frederick Charles who had assumed command in the field. The Prussians finished the conflict with von Moltke's assistance directly planning the remainder of the campaign.<sup>238</sup> As von Roon had been instrumental in the reforming the personnel, recruiting, and organization of the army, von Moltke was instrumental in reforming war fighting methods including the technological, logistic, communications, transportation, and command and control of the Prussian army. One item that preceded von Moltke's tenure as Chief of the Prussian General Staff was the Dreyse rifle (needle gun) that was the first bolt action breech loading rifle, which could be fired five times faster than any muzzle loading rifle that equipped other European armies. Although it had a shorter effective range than other rifles, it was adopted beginning in 1848 and was eventually distributed to the entire army by 1864.<sup>239</sup> General von Moltke was recognized as a genius whose ideas were far ahead of his contemporaries regarding the employment of new technology. Moltke understood that to be effective the new technology required intensive individual and unit training as well as aggressive unit leadership. He revised the War planning cycle to an annual basis that could incorporate the information from the latest war-games and maneuvers. The Prussian army had a command and control system that used standard orders and gave great leeway to subordinates to use their initiative (mission orders – Auftrag), as well as a good officer and NCO education organization that ensured the system was understood. What von Moltke added was two things, a concept of risk management and *time*. His method was to plan worst case scenarios with tight time horizons which resulted most often with the Prussian army arriving before the enemy and with more troops and resources. This allowed the army to

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<sup>237</sup> Ibid., 172.

<sup>238</sup> Arden Bucholz, *Moltke and the German Wars, 1864-1871* (New York: Palgrave, 2001), 97.

<sup>239</sup> Ibid., 24.

compensate for other mistakes or the ‘fog of war.’ He sent General Staff Officers to subordinate headquarters who completely understood his intent and were able to amplify and interpret mission orders and assist the commanders.<sup>240</sup> Von Moltke as head of the General Staff created a community of officers who had a great impact on the army since most senior commanders had passed through it at some point and were able to put the new ideas of war fighting into practice.

Von Moltke is best known for the military use of railroads. Moltke understood that railways helped Prussia strategically since troops could be moved to meet geographically dispersed threats. To von Moltke the development of railroads was more important than border fortifications. In addition von Moltke introduced field telegraph units to keep up with the new mobile army.<sup>241</sup> He saw the railroads as complex systems in which a problem with one train could have a cascading and large impact throughout the whole network. Planning and scheduling had to be very exact. He understood that there had to be great coordination among the General Staff, War Ministry, Commerce, and Interior Ministries in order to exploit the potential of the railroads. Von Moltke pushed for double rail lines that could accommodate two way traffic; especially in the direction of France. A critical event was the mobilization of 1859 in which civilian railway traffic had priority which lead to a complete fiasco. Shortly thereafter, von Moltke convened a conference of Prussian military and civilian railroad officials to establish a Central Railroad Commission in Berlin, along with each rail line having a subordinate commission with representatives at each loading station. It was agreed that in time of war military traffic would have priority. He organized a mobilization division within the General Staff, and within it there was a separate railroad management section. Von Moltke then decreed that mobilization orders were to be sent by telegraph reducing notification time from five days to one. He implemented time phased mobilization plans. Trains were organized to carry a complete single unit and scheduled to transport them according to its place in the war-plan (order of battle).<sup>242</sup> In 1866 “field railroad troops” consisting of a mix of civilian and military

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<sup>240</sup> Ibid., 50-76.

<sup>241</sup> Walter Goerlitz, *History of the German General Staff*, (New York: Praeger, 1953), 75-76.

<sup>242</sup> Buchholz, *Moltke and the German Wars, 1864-1871*. 64-68.

personnel were created.<sup>243</sup> Between 1864 and 1866, as mobilization strength grew to over 600,000 because of von Roon's reforms, mobilization times were reduced from almost fifty days to little over twenty days. It was this reform of transportation, communication, and supply using railroads and telegraph that gave the Prussian army its operational and strategic superiority over its adversaries.

After the defeat of Denmark, the issue of the future of Schleswig-Holstein remained a matter of contention between Prussia and Austria. The compromise that was agreed on let Prussia administer Schleswig which would enter the Zollverein and Austria would administer Holstein with Prussian administration of Kiel which was to become a German Confederation naval base as well as construction of a canal and railroad.<sup>244</sup> This agreement only postponed the conflict although the King and Crown Prince did not want a war with Austria.<sup>245</sup> Bismarck wanted to eliminate Austria from Northern German affairs to establish Prussian dominance in the Confederation and partly to repay them for the humiliation at Omültz. Bismarck intended to provoke a war with Austria but not because of a desire to create a German national state. In the end the conflict with Austria occurred despite the qualms of the Prussian monarchy partly because Austria attempted to isolate and humiliate Prussia in the German Confederation. Bismarck made a secret limited three month alliance with Italy in April 1866 for a joint war with Austria.<sup>246</sup> By the third week of April Italian troop movements forced a partial Austrian mobilization which moved Prussia to mobilize.<sup>247</sup> Austria called for non-Prussian members in the Confederation Diet to mobilize against Prussia. The most powerful states in the German Confederation after Prussia and Austria; the southern German states of Bavaria, Baden, and Württemberg along with Saxony and Hanover, sided with Austria. Prussia responded by announcing that the German Confederation was dissolved while presenting a plan for a new confederation (what was to become the North German Confederation) which was rejected. Prussia then demanded Saxony, Hanover, and Hesse join the new

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<sup>243</sup> Deist, "Remarks on the Preconditions to Waging War in Prussia-Germany 1866-71," 272.

<sup>244</sup> Dennis Showalter, *The Wars of German Unification*. (New York: Oxford University Press, 2004), 133-135.

<sup>245</sup> William Dawson, *The German Empire 1867-1914 and the Unity Movement*, vol. I. (New York: The MacMillan Co. 1919), 200.

<sup>246</sup> Holborn, *A History of Modern Germany 1840-1945*, 178.

<sup>247</sup> Bucholz, *Moltke and the German Wars, 1864-1871*, 111.

confederation, and invaded when they refused. Austria responded by declaring that they would assist these states under Prussian attack and this led to an overall outbreak of hostilities.<sup>248</sup> The combination of Bismarck forcing a two front war on Austria which tied down a large part of their forces in Italy, and Prussian superiority in mobilization, transportation, communications, command and control as well as a superior rifle, resulted in a defeat for Austria and the German states that had allied with Austria. The outcome of this conflict established the Amalgamated Security Community that became the German Empire.

Bismarck pursued a moderate peace because he believed that humiliation of Austria would not be anything but trouble in the future and he did not want to fight France or Russia while simultaneously fighting Austria and her German allies.<sup>249</sup> There was a “Preliminaries of Peace” signed on July 26 at Nikolsburg, which was ratified later in a Treaty of Peace, signed at Prague on August 23rd, 1866. The peace agreement allowed Prussia to annex Schleswig, Holstein, Hanover, electoral Hesse, Nassau, and Frankfurt which produced a contiguous state linking the previously separate parts of Prussian territory. Austria agreed to the dissolution of the German Confederation and to recognize the formation of a North German Confederation north of the river Main in which Austria would not participate, and a South German Union (blocked later by Prussia). Also included was a provision for separate treaties to be concluded between Prussia and the kingdoms of Bavaria, Württemberg, and the duchies of Baden and Hesse-Darmstadt.<sup>250</sup>

The treaties between Prussia and Württemberg, Baden, and Bavaria (who were not included in the North German Confederation) are very interesting. They were all required to pay indemnities; the Zollverein Treaties were renewed between them and the North German States; they recognized the

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<sup>248</sup> Showalter, *The Wars of German Unification*, 158-160. See Also; Edward Hertslet, *The Map of Europe by Treaty*. vol. III. (London: Butterworths, 1875): Prussian Declaration of cause of war with Austria and of dissolution of Germanic Confederation. p. 1652; Prussian declaration - Necessity of Invasion of Hanover, Hesse-Cassel, and Saxony, p. 1686; Austrian Manifesto of War with Prussia and Italy. p.1688; Prussian Manifesto of War with Austria. p. 1693; Italian Manifesto of War with Austria. p.1695.

<sup>249</sup> Dawson, *The German Empire 1867-1914 and the Unity Movement*, 237-240. See Also; Gordon A.Craig, *Germany 1866-1945*, (New York: Oxford University Press, 1978), 5-6.

<sup>250</sup> Edward Hertslet, *The Map of Europe by Treaty*. vol. III. (London: Butterworths, 1875): Preliminary Treaty of Peace between Austria and Prussia. Signed at Nikolsburg, 26<sup>th</sup> July, 1866. p.1698

conditions of the Nikolsburg “Preliminaries of Peace”, and most interestingly they agreed to the appointment of a commission to regulate railway traffic as well as establishment of new railway communications:

“ART. VIII. *Appointment of a Commission to regulate Railway Traffic.* The High Contracting Powers, as soon as Peace is restored in Germany, will cause the meeting of a Commission for the purpose of establishing the passenger and goods Traffic of the Railways on a proper basis; especially to regulate the state of competition in a proper manner; and to oppose such efforts of separate Boards as are injurious to the general interests of traffic. *Establishment of New Railway Communications.* Inasmuch as the High Contracting Powers are agreed that the establishment of all New Railway communications conducive to the general interest is to be allowed and as far as possible promoted; they will cause the above-named Commission to lay down principles most advantageous to the general interests of traffic in this respect.”<sup>251</sup>

Although on the surface it appears as an item designed to promote commerce, what this did was give Prussia effective control over railroads and telegraph communications that were essential to the new Prussian way of waging war. Concurrent with these separate peace treaties Prussia pushed each of these states to sign “A Treaty of Offensive and Defensive Alliance with Prussia”. These treaties guaranteed each other’s territorial integrity and committed themselves to pool their entire military strength in time of war under the command of the King of Prussia.<sup>252</sup> This is the beginning of a movement toward military integration between the North German Confederation and the South German States.

The North German Confederation was established by a treaty between Prussia and the North German States that had allied with Prussia in August 1866. By April 1867 a constitution was adopted for the North German Confederation.<sup>253</sup> Key provisions allowed the North German Confederation to be dominated by Prussia with the Prussian King acting as President and most importantly as Commander in Chief of the Confederation Army. The constitution established a federal system, with the Confederation focused mostly on foreign and military affairs along with commercial activities not covered by the

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<sup>251</sup> Hertslet *The Map of Europe by Treaty*: Treaty of Peace between Prussia and Wurtemberg. 13 August, 1866. p.1702; Treaty of Peace between Prussia and Baden. 17 August, 1866 p. 1707; Treaty of Peace between Bavaria and Prussia. 22nd August, 1866. p. 1709; A Treaty of Offensive and Defensive Alliance signed between Baden and Prussia on the 17th August, 1866. p. 1711.

<sup>252</sup> Dawson, *The German Empire 1867-1914 and the Unity Movement*, 248. See Also; Gordon A.Craig, *Germany 1866-1945*, (New York: Oxford University Press, 1978), 6-7.

<sup>253</sup> Hertslet, *The Map of Europe by Treaty*: Constitution of the North German Confederation. p. 1807.

Zollverein.<sup>254</sup> There is a debate over whether Bismarck intended to create a “German” state government or just a façade for Prussian hegemony. Although quite willing to use German nationalism as a tool, his main motivations previously were to increase Prussian power and ensure domestic stability and there is no reason to believe this had changed.<sup>255</sup> On the other hand, Bismarck became Federal Chancellor of the North German Confederation, and considering that “where you sit determines where you stand” it is only natural that Bismarck would begin to promote the collective interests of the Confederation. On examination it is clear that his policies were designed to promote an “ever closer union” especially in regard to bringing the southern German states into the confederation. The army of the North German Confederation was integrated and the armies of Württemberg, Baden, and Bavaria were integrated to differing levels as will be discussed below. The point is that the North German Confederation formed a strong Amalgamated Security Community, while Württemberg, Baden, and Bavaria illustrate the process of military cooperation moving towards integration that indicates the existence of a weak or partially integrated Amalgamated Security Community.

“Since 1866 Bismarck had insisted that the south must be won, not conquered.”<sup>256</sup> On the other hand, Prussia was viewed with even greater suspicion and disapproval in the southern German states following the war with Austria; especially in Bavaria and Wurttemberg. The political movements favoring union with the north were weak and unorganized.<sup>257</sup> Prussia also suffered from a stereotype among the southern Germans as being a militaristic society, a “large barracks” that maintained its domestic order by force. A joke in Wurttemberg was that the Constitution of the North German Confederation had ‘only three articles; 1. pay, 2. be a soldier, 3. keep your mouth shut.’<sup>258</sup> In Bavaria elections in 1869 resulted in a significant victory for conservatives who condemned the government as traitors because of the military alliance with Prussia which only served “to transform Bavaria into a spike-

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<sup>254</sup> Dawson, *The German Empire 1867-1914 and the Unity Movement*, 255-256.

<sup>255</sup> Pflanze, *Bismarck and the Development of Germany: The Period of Unification, 1815-1871*, 337-338.

<sup>256</sup> Ibid., 486.

<sup>257</sup> Craig, *Germany 1866-1945*, 14.

<sup>258</sup> Ibid., 18-19.



helmeted province of a German Union that was only Prussia written large.”<sup>259</sup> Interestingly enough these objections not only had a basis in reality, they can be seen as a backhanded indication of the integrative nature of the measures adopted to bring the Wurttemberg and Bavarian armies up to Prussian standards which will be discussed below. The key point is that any program to win over the southern German states to unify with the North German Confederation faced serious political difficulties.

The war generated a wave of patriotism that changed the makeup of the Prussian National Assembly even prior to the end of the war; in the election of July 1866 the conservatives won a significant majority. With the army reforms nearly every family had someone in the army and with the victory over Austria public opinion strongly favored the King and Bismarck. The liberals were therefore very amenable to working out a compromise.<sup>260</sup> The constitutional crisis ended in September 1866 when the National Assembly made a retroactive allocation of money spent while it was dissolved. Bismarck was supported by the Free Conservative Party joined by moderate liberals to create a solid base of support in the National Assembly for Bismarck and his policies.<sup>261</sup> In any case the Prussian Assembly lost power as the North German Confederation came into being:

“After 1866 the attitude of the Prussian Chamber toward the royal prerogative was not of decisive importance. The principal arena in which the relationship of the army to the state was to be discussed henceforth was, from 1867 to 1871, the parliament of the newly created North German Confederation and, after 1871, the Reichstag of the German Empire.”<sup>262</sup>

This is a clear illustration of military integration creating an Amalgamated Security Community and that same military integration changing the domestic power structure. That this occurred despite the King, Bismarck, and the Junkers, having all been opposed to the creation of a German state, demonstrates the power of the process of military integration. The other issue of Von Roon’s reform of the Prussian Army

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<sup>259</sup> Showalter, *The Wars of German Unification*, 215.

<sup>260</sup> Ibid., 201.

<sup>261</sup> Craig, *Germany 1866-1945*, 7-11. See Also; Showalter, *The Wars of German Unification*, 202. and; Pflanze, *Bismarck and the Development of Germany*, 326-334.

<sup>262</sup> Gordon A. Craig, *The Politics of the Prussian Army 1640-1945*, (New York: Oxford University Press, 1964), 178.

that created the constitutional crisis in the first place was resolved when the National Assembly finally approved the reforms.<sup>263</sup>

The army of the North German Confederation will be discussed below, but it was, for all intents and purposes, a greatly expanded Prussian Army. By homogenizing the various forces of annexed territories and members of the Confederation to Prussian methods, equipment, and standards it also acted as an institution of national integration.<sup>264</sup> This extended to at least partial integration of the southern states as well.

“During the years 1866-1870 the most tangible progress toward the integration of Germany under Prussian leadership came in the area of military affairs. By providing for the supreme command of the King of Prussia, the military alliances had made possible the assimilation by the southern states of the Prussian military system at a time of great popular and governmental resistance to Berlin’s political control. Their own miserable record in the fighting of 1866 and the remarkable efficiency of the Prussian military machine had had a considerable impact upon southern officers and statesmen. Naturally German nationalists were now eager to accept the Prussian system, but many particularists were similarly inclined. If but to reinforce their own independence, it behooved the southern states to copy the seeming virtues of Prussian militarism.”<sup>265</sup>

The final stage of the creation of the German state was the result of the Franco-Prussian war. The spark that started the conflict was the question of succession to the throne of Spain because the French objected to the possibility of Hohenzollern there as King. When the French Ambassador met King William at Ems on 13 July he presented the French demands and was rebuffed. The foreign office official with the King sent a dispatch to Bismarck describing the encounter. Bismarck was having supper with Von Moltke and Von Roon when he got the dispatch. With army assurances that they were prepared for a war with France, Bismarck then edited what was to become known as the Ems Dispatch to ensure it would provoke a war and released it to the newspapers.<sup>266</sup>

The years following the integration of the armed forces of the North German Confederation prior to the war with France had had an effect:

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<sup>263</sup> “On 20 October 1867 Roon wrote to the King that the struggle was over at last. Not only had the Prussian Army been remodeled according to his design, but the armed forces of the new North German Confederation, whose creation the victories of that army had made possible, were being brought into line.” Howard, *The Franco-Prussian War*, 21.

<sup>264</sup> Showalter, *The Wars of German Unification*, 207.

<sup>265</sup> Pflanze, *Bismarck and the Development of Germany*, 406.

<sup>266</sup> Howard, *The Franco-Prussian War*, 48-55.

“The North German Confederation began to change the outlook of the smaller and medium-size German states; by participating in the security community, their leaders began to think and act like Germans. Reflecting and assisting this transformation was the replacement of the Prussian flag with a new German banner.”<sup>267</sup>

The reaction in the North German Confederation to the news of a war with France was a wave of national patriotism fanned by the press. In the South there was less enthusiasm initially and in some areas opposition as well as questions in the press over the wisdom of engaging as an ally in another great power war.<sup>268</sup> The Ems Dispatch and the French preparations for war soon made those concerns moot, and the southern German states mobilized along with the North German Confederation honoring their defensive alliance commitments. For the moment parochialism and distrust of Prussia dissipated in a widespread feeling of pan-German patriotism in response to what was perceived as French arrogance. Southern German reserves reported to their units enthusiastically.<sup>269</sup>

The French were as much to blame for their disaster as much as the Prussians were able to claim success. In September 1870 the Emperor Napoleon was captured along with an entire French army at Sedan, effectively ending the Second Empire and causing the formation of the Third French Republic. Although the Germans reached the outskirts of Paris and even shelled it, the limits of the Prussian military system were reached when the defeated main French forces were replaced by new conscript armies that fought a type of guerrilla war that impeded the German supply lines. The victories over the French army continued to fan nationalist sentiment and many Germans viewed them as revenge for the actions of Louis XIV and both Napoleons. Bismarck encouraged nationalist demands that the historically German provinces of Alsace and Lorraine be annexed to Germany. This annexation of Alsace and Lorraine became a clause demanded by the southern states as justification of the German national cause as well as a buffer against future French attacks.

Prior to the end of the conflict the North German Confederation became the German Empire. Although Baden was pro-unification, the rulers of the other states were not. In Bavaria the King along

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<sup>267</sup> Bruce Cronin, *Community Under Anarchy: Transnational Identity and the Evolution of Cooperation*. (New York: Columbia University Press, 1999), 121.

<sup>268</sup> Showalter, *The Wars of German Unification*, 241. See Also; Howard, *The Franco-Prussian War*, 59-60.

<sup>269</sup> Craig, *Germany 1866-1945*, 27.

with the Prime minister and powerful rural and Catholic factions were against unification; in Württemberg the King and Queen saw unification as a sharp reduction of their sovereignty but they had little popular support; the Duke of Hesse (who had attempted to ally himself with France prior to the war) was very resentful of unification but had to bow to popular support for unification.<sup>270</sup> None of the politicians in southern Germany thought that there was any alternative to merger with the North German Confederation after the victory over France.<sup>271</sup> With the success of the army Bismarck wanted to use the nationalistic German sentiment created by the war with France to enlarge the North German Confederation to encompass the south German states.<sup>272</sup> Baden had already tried to join previously but had been rebuffed by Bismarck because he thought it would preclude all of the southern states from joining. Wurttemberg and Bavaria were essentially reduced to negotiating terms. An additional item of leverage was that the customs union would have to be renewed by 1876 and therefore the threat of economic isolation also existed for any state that did not join the new state. The treaties were negotiated with Baden and Hesse-Darmstadt and signed on November 15, Bavaria on November 23, and Wurttemberg on 25 November. Although the Bavarian Diet did not want to ratify the treaty seeing it as a surrender to Prussia, and the Bavarian King was also against it, public opinion was too strong to ignore and it was approved.<sup>273</sup>

There was one final step. The German nationalists had desired to create a German Reich with an Emperor (Kaiser). To get around the King's objection to accepting the title of "Emperor" from parliament, Bismarck paid off the Bavarian King to write a letter to William asking him to become Emperor. This offer from the German Princes convinced King William of Prussia to become the first German Emperor. On 18 January 1871 the Prussian King William I, was declared German Emperor in

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<sup>270</sup> Holborn, *A History of Modern Germany 1840-1945*, 223.

<sup>271</sup> Craig, *Germany 1866-1945*, 33.

<sup>272</sup> "Bismarck's major war aim was not the conquest of French soil, but the voluntary acceptance by the south of the north German constitution without essential change. Through a national crusade against France he expected to produce a flood of German sentiment which would overflow the barriers of southern particularism. From the palaces of Munich and Stuttgart to the palisades of Paris he propagated the view that the struggle against France was "a great national war," "a moral and national revolt against foreign attack and arrogance," whose only logical outcome would be the consolidation of "Germany's unity and power" under the northern system." Pflanze, *Bismarck and the Development of Germany*, 480.

<sup>273</sup> Holborn, *A History of Modern Germany 1840-1945*, 224-228.

the hall of mirrors of the Palace of Versailles, which was being used as Royal and Army Headquarters for the German forces besieging Paris.<sup>274</sup>

“With the massed regimental colors of German troops as a backdrop, surrounded by princes and general, William I received the acclaim of a large gathering of officers representing all the units of the German army around Paris. *Exercitus facit imperatorem*, the army creates the emperor, the Romans used to say, and the martial show of this day, thereafter annually celebrated in Germany as the birthday of the new Reich, could almost appear as a reenactment of ancient events.”<sup>275</sup>

Although it was not literally the case that the army selected the emperor, it is clear that the army was the underlying cause for unification. It was not nationalism, revolutionary reform, nor economic integration that set the stage for German unification. It was not by conquest of the southern German states that the German Empire came into being. The army was the basis for the state because of its activity as an institution of integration and identity construction. It is this aspect of integration and identity formation, which is based on military integration that characterizes Amalgamated Security Communities. The German Army continued in this role in the consolidation of the Empire, both in the active forces as well as among veterans.<sup>276</sup> Finally, it is on examination of the level of integration between the army of the North German Confederation and those of Baden, Wurttemberg, and Bavaria that another factor becomes clear. The less militarily integrated states were able to negotiate for privileges and exemptions as conditions for their entry into the German state. Especially in the case of Bavaria where there remain privileges and exemptions to this day based on those negotiations.

### **2-3 (b). The Government**

The common Government in this case is the one established by the constitution of the North German Confederation which, with a few modifications, became the constitution of the German Empire. It is also important to examine the offensive / defensive treaties that were signed between Baden, Württemberg, Bavaria, and Prussia because of the effect that they had on integration.

The various German constitutions are all Federal. One explanation is that the constituent states of Germany, especially the mid-sized and powerful states possessed sufficient governing capacity to make a

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<sup>274</sup> Holborn, *A History of Modern Germany 1840-1945*, 227-229.

<sup>275</sup> Ibid., 229.

<sup>276</sup> Showalter, *The Wars of German Unification*, 344 and 348.

negotiated merger more attractive than one in which the dominant power (Prussia) annexed the states and would have had to expend resources conquering them and then rebuilding governing capacity. In addition it may have been advantageous in the view of Bismarck and conservative Prussia to preserve existing monarchies and power structures to offset the creation of a representative parliament.<sup>277</sup> Another view is that the structure of the government was essentially path dependent given the history of the Holy Roman Empire and its constituent states, the German Confederation, the constitution developed by the revolutionary parliament in 1848, as well as the concept of sovereignty and legitimacy residing in the monarch that guided the Prussian Kings and conservative monarchists in their policy preferences during the entire process. Given either or both of these explanations as valid, the product was the formation of a government (except for the directly annexed territories) that was created through a process of negotiation resulting in a federal state *voluntarily* agreed to by the constituent states. It is the voluntary aspect of this state formation that places it into the category of being an Amalgamated Security Community.

The North German Confederation came into being almost immediately following the defeat of Austria. By 18 August 1866 a treaty had been signed with a majority of the states that were to form the North German Confederation. Delegates from the constituent states had a draft constitution by early February which was adopted by the Diet in April 1867. It was based on several previous documents including the constitution passed by the revolutionary government in 1848.<sup>278</sup> The provisions for what comes under the jurisdiction of the Confederation are listed in Article IV and include; citizenship and passports, customs and tariffs, commercial legislation, taxes for federal purposes, weights and measures, money and banking, patents and intellectual property, foreign affairs and consular representation, river navigation, postal service and telegraph, contract law, penal law and commercial law, railways and roads and water-communications for the defense of the country and for general circulation, and finally the military affairs of the confederation and the navy.<sup>279</sup> Significant areas were reserved to the constituent

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<sup>277</sup> Daniel Ziblatt, *Structuring the State; The Formation of Italy and Germany and the Puzzle of Federalism* (Princeton: Princeton University Press, 2006), 109-140.

<sup>278</sup> Dawson, *The German Empire 1867-1914 and the Unity Movement*, 253-255

<sup>279</sup> Hertlet, *The Map of Europe by Treaty: Constitution of the North German Confederation*. p. 1807

states such as regulation of education, religion, health services, police, civil law and civil liberties, along with the right to collect direct taxes.<sup>280</sup> The bicameral legislature consisted of a representative assembly (the Diet), and a Federal Council (Bundesrat) that represented the rulers of the constituent states, each having equal legislative power. The votes in the Federal Council however, were such that Prussia could block any legislation contrary to its interests. The Presidency of the Confederation belonged to the Prussian King, who acted as Head of State and Commander in Chief of the armed forces with the authority to declare war, make peace, and conclude treaties. He also had the power to appoint and remove all federal officials since they were responsible to him, not the legislature.<sup>281</sup>

It is interesting to note the treatment of the telegraph and railways in the constitution. Art. XLVIII. calls for the Telegraph Service to be “administered for the whole territory of the North German Confederation as single institution,” and that it is under the direct supervision of the Presidency. The constitution is very explicit regarding the critical nature of railroads for defense and the primacy of the federal government in their regulation.<sup>282</sup> Integration of communication and rail transportation were so vital to the Prussian way of waging war, that they were included in the basic law establishing the Amalgamated Security Community of the North German Confederation.

The Constitution also outlines the integrated military of the Amalgamated Security Community. The centrality of the integrated armed forces to the North German Confederation can be seen in the funding of the confederation which in 1868 military expenses consumed 99.5% of the confederations

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<sup>280</sup> Dawson, *The German Empire 1867-1914 and the Unity Movement*, 256. See Also; Craig, *Germany 1866-1945*, 40-41.

<sup>281</sup> Ibid., 255-259.

<sup>282</sup> Art. XLI. says that the “Railways which are considered necessary for the defense of the Federal Territory or for the interests of general traffic may be constructed on account of the Confederation, by virtue of a Federal Law, even against the will of those members of the Confederation whose territories the Railroads traverse.” ART. XLII. states; “The Federal Governments bind themselves to administer the Railways situated in the Federal Territory as a single network in the interest of general traffic, and for this purpose to have any new Railways that are to be made, constructed and furnished according to uniform rules.” Finally the primacy of military use of railroads is contained in ART. XLVII. “All the Railway Boards have to comply unresistingly with the demands of the Federal Authorities for the use of the Railways for the purpose of defending the Federal Territories. Soldiers and all Materials of Warfare especially are to be forwarded at uniform reduced Rates.” Hertslet, *The Map of Europe by Treaty: Constitution of the North German Confederation*. pp. 1817-1818.

entire budget.<sup>283</sup> Art. LIII defines the new Confederation Naval component as being “an undivided one under the Commander-in-Chief of Prussia” whose organization and composition are determined by him and that “the Ports of Kiel and the Jahde are federal military ports.” The Navy owes its allegiance to the “King of Prussia, who appoints its Officers and Functionaries, and into whose Service they are to be sworn, as well as the crews.” Funding for the Navy was centralized as well; “The expenditure required for the formation and maintenance of the Fleet and of the establishments connected therewith is provided from the Federal Treasury.” In order to build this new force, the constitution also exempts everyone in the “Maritime Population of the Confederation” from service in the army. Section XI of the Constitution of the North German Confederation deals with the “Military Affairs of the Confederation” which was the establishment of the Army. As with the Navy the “Land Forces of the Confederation form one single Army, which in war and in peace is under the command of His Majesty the King of Prussia, as Federal Commander-in-Chief,” in addition “all the federal troops (including officers) are bound to render unconditional obedience to the orders of the Federal Commander-in-Chief. This obligation is to be undertaken in the Banner-oath.” He had the authority to appoint all commanders of contingents and fortresses, as well as to select from any contingent officers to fill those positions of responsibility. The Federal Commander-in-Chief was given the right of erecting fortresses within the territory of the confederation, and could declare any part of the federal territory in a state of war if public security was threatened. He was also given control over determining the strength, formation and organization of all contingents (there were some units that came from a single member state) as well as the organization of the Landwehr, and was to determine the strength and location of various garrison units. He had the authority to order any part of the federal army to be mobilized for war. As the Federal Commander-in-Chief it was his duty to ensure that all troops were properly equipped, trained, and led by qualified officers. In order to do this he could establish training standards, institutions and conduct inspections. When he deemed necessary he could then remove any “defects” he found from any contingent. This gave the King of Prussia effective quality control over all the forces to ensure integration at a level in which all

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<sup>283</sup> Showalter, *The Wars of German Unification*, 204.



the various forces could operate as a single army. The size of the Federal Army in peace time was set at one per cent of the population. The reforms of von Roon were incorporated in the constitution so that all males were subject to military service. Funding for the army was to be “borne equally by all the Federal States” to be paid to the federal treasury by the separate states of the confederation. The base line amount for the army and its institutions was also fixed in the constitution at “225 thalers (currency unit) per soldier” which was to be allocated annually to the Federal Commander-in-Chief (this “iron budget” of automatic appropriations for the army ensured that there would be no repeat of the legislature cutting off funds for the military). The most direct aspect of integration was contained in ART. LXI which mandates that the whole Army of the North German Confederation would adopt the Prussian Army system in all respects.

“After the publication of this Constitution the Prussian Military Legislation is to be immediately introduced into the whole Federal Territory, both the laws themselves and the regulations, instructions, and receipts issued for their execution, explanation, or completion; especially, therefore, the Military Penal Code of 3rd April, 1845, the Military Criminal Court Regulation of 3rd April, 1845, the Ordinance on Courts of Honor of 20th July, 1843, the directions respecting Recruiting, Time of Service, matters of Service and Maintenance, Quartering, Compensation for Damages to Fields, Mobilization, &c., for Peace and War.”<sup>284</sup>

In addition, any future adaptations or modifications instituted by the Prussian Army were to be adopted by all other federal contingents through the Committee for the Army and the Fortresses. There was no Minister for War in the constitution so the effective control of the armed forces fell to the Prussian General Staff as the highest military planning authority.<sup>285</sup>

Besides the Constitution of the North German Confederation, there were treaties signed between Prussia and Baden, Württemberg, and Bavaria that provided the basis for a partially integrated Amalgamated Security Community. As noted previously the peace treaties between Baden, Württemberg, Bavaria and Prussia included the establishment of Railroad Commissions and railway communications which had both civil and military implications that effectively integrated those systems. There were also signed at the same time (August of 1866) secret offensive and defensive alliance treaties

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<sup>284</sup> Hertslet, *The Map of Europe by Treaty*: Constitution of the North German Confederation. p. 1823.

<sup>285</sup> Walter Goerlitz, *History of the German General Staff*. (New York: Praeger, 1953), 94.

between Prussia and each of the Southern German states. These treaties guaranteed the territorial integrity of signatories, and included the provision that in time of war they would place all their military forces under the command of the King of Prussia. These treaties were made public in March 1867, and caused concern not only in Paris and Vienna but also discontent in the anti-Prussian elements of the South German States.<sup>286</sup> This was not the total extent or limit of military integration between the Army of the North German Confederation and the forces of Baden, Württemberg, and Bavaria as will be outlined in the next section. However, the levels of integration were in that order, with Baden being the most integrated and Bavaria the least.

Besides the likely intervention of outside powers had Prussia tried to unify all of Germany following the war with Austria, there were other considerations that prevented unification with the Southern German states including religious, cultural, and the very real probability that inclusion of the Southern states would have forced concessions in the constitution that would have made it more liberal and less centralized than Prussia was willing to accept.<sup>287</sup> Without the Southern States Prussia could dominate the North German confederation and consolidate its gains. Given the anti-Prussian feeling in the Southern states Bismarck saw that it was preferable to wait until either the Zollparliament had succeeded in bringing the states closer or until the Southern states themselves freely wished union with the North.<sup>288</sup> It was the opportune moment of national patriotic feeling as all allied “German” Armies fought against the French that provided the basis for a negotiated constitutional union. The constitution of the German Empire was for most parts simply the constitution of the North German Confederation with exceptions and exemptions made for the South German states; particularly Württemberg, and Bavaria. All the southern states were exempted from taxes on beer and spirits which was a financial advantage to sweeten the deal. The terms negotiated for entry into and creation of the German Empire gave Württemberg and Bavaria several privileges. They were allowed to manage railway, postal, and

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<sup>286</sup> Dawson, *The German Empire 1867-1914 and the Unity Movement*, 270-271. See Also; Holborn, *A History of Modern Germany 1840-1945*, 181.

<sup>287</sup> Holborn, *A History of Modern Germany 1840-1945*, 190. See Also; Pflanze, *Bismarck and the Development of Germany*, 368.

<sup>288</sup> Dawson, *The German Empire 1867-1914 and the Unity Movement*, 270-271.

telegraph systems in their territory (subject to laws governing national defense). Despite becoming part of the German Army Württemberg was allowed to appoint most of the officers and administer the affairs of its contingent including uniforms and insignia. In peacetime Württemberg's troops could not be forced to be stationed outside of Württemberg and no soldiers other than those from Württemberg would be stationed there. Military budget surpluses were kept rather than returned to the Imperial treasury. Bavaria got even more concessions, it maintained its own War Ministry and General Staff as well as command of its forces in peacetime; however these forces were closely supervised by the Prussian General Staff. The King of Bavaria was Commander-in-Chief of his contingent and retained the right to appoint all officers. Bavaria was to adopt common Imperial standards in mobilization, training, and organization, it reserved the right to arm, equip, and fund its own force as well as determine uniforms and insignia. Bavaria was given a permanent seat on the Bundesrat committee on military affairs. Bavaria also retained rights of diplomatic representation, and negotiated the creation of a foreign policy committee in the Bundesrat with a Bavarian president and permanent Württemberg and Saxon representation (which was ignored by Bismarck). If a German envoy was incapacitated a Bavarian envoy could be appointed as a substitute. Bavaria also retained the right to be represented at peace negotiations.<sup>289</sup>

These concessions gave two of the Southern states unequal standing in the constitution of the German Empire; the same two states that were the least militarily integrated. One Bavarian politician noted however, that it would have been better to negotiate terms that gave Bavaria more influence over federal policy rather than retain state privileges.<sup>290</sup> This would seem to have been more reasonable, but only if Bavaria was committed to unification rather than possible future independence. It is interesting to note the emphasis that these states placed on trying to maintain as much "independence" of their military forces as possible. It is clear that they saw this as critical to maintaining some semblance of sovereignty. When the opposition to unification by the rulers of these states is remembered, it is clear that maintaining

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<sup>289</sup> Craig, *Germany 1866-1945*, 40-41. See also; Pflanze, *Bismarck and the Development of Germany*, 488-490.

<sup>290</sup> Ibid., 42.

control of military forces and the capacity to create military force had the potential to provide options for future independence. In addition to trying to maintain a nominally “independent” military, Bavaria also focused on maintaining diplomatic and foreign policy privileges. Therefore, the most logical reason for what was negotiated was a desire for eventual freedom from the Prussian yoke, and the only way to have any chance of that occurring was to have the ability to create military forces. This potential for dissolution is a hazard for partially integrated Amalgamated Security Communities that will be examined in the next chapter.

### **2-3 (c). Defense Integration and Cooperation**

It was the integrated army of the North German Confederation that made it a strong Amalgamated Security Community. Therefore the integration of that army and its contingents must be examined. Also significant are the armies of Baden, Württemberg, and Bavaria in the period from 1866 to 1870 during which they were pledged to fall under the wartime command of the King of Prussia (by the conditions of the defensive and offensive alliances – Schutz und Trutzbündnisse) prior to their negotiated entry into and creation of the German Empire. The different levels of military cooperation and integration had an effect on those negotiations and the domestic political character of Germany.

**1. The army of the North German Confederation** was in effect an expanded Prussian Army. The history of the creation of that army is primarily the narrative of how the Prussian army incorporated the forces of the other states in the confederation. A critical issue was unit leadership. First, there was the question of incorporating the officers of the other states. The Prussian Army did not have nearly enough officers to lead all the new units that would comprise the Army of the North German Confederation, so it pressed the rulers of constituent states and annexed territories to absolve their officers from previous oaths. All of these officers were required to swear loyalty to the King of Prussia directly. Eventually three hundred thirty six officers from the various constituent states took the “Banner-oath” of allegiance to the Prussian King while only forty one refused, and fifty eight were retired.<sup>291</sup> The professionalism of the Prussian Officer Corps also had a positive effect on the integration of officers from

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<sup>291</sup> Showalter, *The Wars of German Unification*, 206-207.

other states. Officers from smaller states who did not have the opportunity to develop their abilities or have much opportunity for promotion were challenged to enhance their skills and work to develop new units in the army of a major power. In addition the demographics of the officers from the other states changed the Prussian officer corps. The number of aristocrats declined as officers from families with backgrounds in business, bureaucracy, and academic professions were integrated. Even the Prussian regiments were changed as young Lieutenants from the other states were assigned to assist in their acculturation to the new army.<sup>292</sup> The formation of new officers through the Prussian officer cadet corps in Berlin also helped to integrate the force since cadets from the annexed territories and other member states were given preference in attendance. Saxony however, maintained its own cadet corps. There were other officer schools that helped to integrate the army of the North German Confederation. The schools were open to officers from across the confederation. There was a military academy in Berlin and after three years of studies the most promising went on to serve on the General Staff. There were artillery and engineer schools for lieutenants who studied together for a year in their specialty schools. There was a college for army veterinary officers, and for army surgeons and medical officers as well as a school for gymnastics (physical training). There was a riding institute for Cavalry and Artillery. There was a school for rifle instruction for both officers and non-commissioned officers.<sup>293</sup> The officer education system integrated men from different states into a single organization where they learned not only the subject matter but also how to work with each other.

The Prussian Army placed great emphasis on its non-commissioned officer (NCO or sergeant) corps. The pay and benefits were better than the civilian jobs open to most of them. They received housing, clothing, and food allowances as well as medical care, and could retire at half pay after 12 years of service (young enough to start a second career) at a time when pensions for the most part did not exist in Germany. In addition, the NCO corps was one of the earliest merit based organizations in Prussian society where ability could lead to social mobility and advancement. These incentives created very loyal

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<sup>292</sup> Ibid.

<sup>293</sup> Colonel Edward Newdigate, *Army of the North German Confederation* (London: Henry S. King & Co., 1872), 48-51.

troops who desired to achieve success. This was facilitated by a NCO school system that gave them access to general education as well as military specific knowledge. The system had three levels and high educational standards. The first level was school for military skills such as riding schools, engineer schools, and supply schools. The next level was non-commissioned officer schools for advancement within the NCO Corps. Finally there were schools for promotion to officer rank.<sup>294</sup> The North German Confederation also had orphanages for the children of soldiers (who had died) which included a free education, as well as providing free education to the children of officers, NCOs, soldiers, and military employees at the various garrisons. Soldiers were also educated in regimental schools, where they were taught by officers and NCOs to read and write. Finally, there was an instructional infantry battalion which was formed each year of soldiers, NCOs and officers from all of the constituent members of the confederation. The purpose of this unit was to maintain uniformity throughout the entire Army of the North German Confederation, and would disperse all of its members back to their parent units in war time.<sup>295</sup> The integration of the Army of the North German Confederation and its adoption of common standards and procedures, as well as the socialization and acculturation fostered in the various schools, was greatly facilitated through the military education system.

The expansion of the Prussian Army and formation of the Army of the North German Confederation provided opportunities for ambitious soldiers from the disbanded armies that had opposed Prussia. The possibility of accelerated promotion, benefits, pay and pension, and the possibility for civil service appointment after twelve years of service were very tempting for the NCOs from the other German armies. The integration of these NCOs greatly assisted in ensuring that soldiers who were conscripted into the Army of the North German Confederation had someone from their own state in positions of authority in their unit which helped to legitimize it as more than just the Prussian Army.<sup>296</sup>

Besides the integration of the administrative functions of the army, the organization of the combat units should be reviewed briefly. The Saxon contingent formed a separate Army Corps (the XII Corps) of

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<sup>294</sup> Bucholz, *Moltke and the German Wars*, 21-22.

<sup>295</sup> Colonel Newdigate, *Army of the North German Confederation*, 50-51.

<sup>296</sup> Showalter, *The Wars of German Unification*, 206.

the Army of the North German Confederation, and the contingent from Hesse was organized as an independent division. However, both were restructured according to Prussian regulation with one or two minor exceptions such as an extra Jaeger or rifle battalion. The Prussian Army increased in size by three Army Corps, one in Hanover, one in Schleswig-Holstein, and one made of the lesser annexed states. Importantly, units from Prussian allies such as Oldenburg, Mecklenburg, and Braunschweig were incorporated into those Corps as were Prussian units to ensure there were not too many “new” units from former opponents in one area. In addition, as the Prussian Army demobilized in 1866, each battalion formed a new fifth company that was consolidated with other companies to form new regiments which were in turn assigned to the new provinces. The states that were defeated in 1866 had demobilized their armies but their professional cadres were incorporated into these new units.<sup>297</sup> The infantry regiments of the Army of the North German Confederation were numbered consecutively from 1 to 108 except for the Prussian Guards and Hessian troops, for a total of 118 infantry regiments. The Jaeger battalions were also numbered consecutively from 1 to 16 except for the 2 Hessian battalions for a total of 18 battalions from Prussia, Saxony, and Mecklenburg.<sup>298</sup> Consecutive numbering of units is a method to demonstrate that the units belong to a larger organization and are an integral part of it. The 76 regiments of cavalry of the Army of the North German Confederation were also numbered consecutively. The consecutive numbering was not 1 to 76 but rather by type of cavalry such as Cuirassiers, Dragoons, Hussars, and Uhlans.<sup>299</sup> The Field-Artillery was organized differently with the regiment taking the number of the Army Corps it was assigned to. The Saxons and Hessians had their own Artillery, but the artillery of Mecklenburg, Brunswick, and Oldenburg were incorporated into Prussian regiments. Siege-Artillery was all Prussian except for one Saxon unit.<sup>300</sup> The Army of the North German Confederation was made up of Army Corps. Prussia provided 12 Corps including a Guards Corps and the other 11 Corps came from the constituent states of the confederation and normally most of the troops in those came from the local area.

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<sup>297</sup> Showalter, *The Wars of German Unification*, 204-205.

<sup>298</sup> Colonel Newdigate, *Army of the North German Confederation*, 20-21.

<sup>299</sup> *Ibid.*, 24-25.

<sup>300</sup> *Ibid.*, 28-29.

The Guards Corps however, was different in that it recruited from the whole confederation and had no territorial district as well as being directly under the supervision of the King.<sup>301</sup> It was a truly “national” unit. The other arms of the Army of the North German Confederation such as engineers, supply, and transportation were all assigned to each Army Corps to provide it support.

Upon examination it is plain that although there were contingents provided by various members of the confederation, most notably Saxony and Hesse, it was by virtue of organization of its administrative and combat forces a single organization and performed as such against France under the direction of the General Staff. The allied armies that became part of the German Empire prior to the end of the conflict must be examined next.

**2. The Army of Baden.** Baden found itself in a precarious position after the Prussian defeat of its ally Austria and subsequent exclusion of Austria from Germany. Without an Austrian protector Baden was suspicious of Bavaria and being close to France was afraid of French encroachment in the Rhineland.<sup>302</sup> In addition to the alliance with Prussia, Baden tried to join the North German Confederation in 1867 but was denied by Bismarck who (feared a reaction by France) wanted all of the South German states to join together.<sup>303</sup> Following the defeat of Austria the government in Baden was replaced with a pro-Prussian regime led by Minister of State Karl Mathy and Foreign Minister Rudolf von Freydorf who favored union with the North German Confederation as did Grand Duke Friedrich I.<sup>304</sup> Having been denied official entry into the confederation, the Government in Karlsruhe focused instead on implementing Prussian military reforms, equipment, organization, regulations and everything necessary for military integration. The Grand Duke negotiated additional treaties with Prussia in 1867 and 1868 that permitted cadets, officers, and administrators to be trained in Prussia and for Prussian officers to assume senior military positions in the Army of Baden. In 1867 a Prussian Major was named head of

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<sup>301</sup> Ibid., 41.

<sup>302</sup> Howard, *The Franco-Prussian War*, 22.

<sup>303</sup> Holborn, *A History of Modern Germany 1840-1945*, 206.

<sup>304</sup> Larry Michael Ellis, “Army State and Politics in the Grand Duchy of Baden, 1866-1920” (Ph.D. Dissertation, The Johns Hopkins University, 1986), 52. See Also: Pflanze, *Bismarck and the Development of Germany*, 383.



Baden's General Staff and in 1868 a Prussian Major General was appointed as War Minister.<sup>305</sup> The cadets, officers, and administrators on returning from service or school in Prussia then assisted in training and reforming the Army of Baden to match Prussian standards. The most difficult part of the adopting of Prussian reforms was the introduction of universal conscription.<sup>306</sup> The opposition was overcome by the promise of liberal domestic reforms. The Baden Lantag (parliament) commission that proposed the 1868 Army Bill called for "a re-united Germany" and said that passage of the bill was "one of the most important organic laws" for Baden to join the North German Confederation. Baden matched the formula for recruitment in the North German Confederation by setting the strength of the army at one percent of the population in 1868. Baden adopted Prussia's administrative system, military justice system, drill regulations, weapons and equipment.<sup>307</sup> "This military coordination prepared Baden not only psychologically, but simultaneously also institutionally, for joining the North."<sup>308</sup>

Baden organized its army according to Prussian tables of organization and equipped its infantry with 16,000 Prussian M1862 needle guns purchased in 1867 and the Baden M1867 needle gun it produced itself. The Baden infantry uniform was nearly identical to the Prussian infantry except for the cockade and plate on the spiked helmet and shoulder piping in the respective regimental colors. Similarly, the Artillery was organized on Prussian lines and equipped with Krupp cannons that the Baden Army repainted from olive to mid-blue to match Prussian gun carriages. The Artillery uniform was the same as Prussia except for the cockade and plate on the helmet. The Engineers and Medical Service were organized and uniformed like the Prussians except for the cockade and plate on their helmet. Only the Cavalry had different equipment because they were a lower priority and were still equipped with

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<sup>305</sup> Larry Michael Ellis, "Army State and Politics in the Grand Duchy of Baden, 1866-1920" (Ph.D. Dissertation, The Johns Hopkins University, 1986), 54. See Also, Showalter, *The Wars of German Unification*. 213-214.

<sup>306</sup> "Even in Baden, where the administration was Prussophile and Kleindeutsch liberalism strong, protests arose against the human and financial costs of implementing three-year service – and against the 'militarization' of society by introducing Prussian methods of drill and discipline." Showalter, *The Wars of German Unification*, 213.

<sup>307</sup> Ellis, "Army State and Politics in the Grand Duchy of Baden, 1866-1920," 54-56.

<sup>308</sup> *Ibid.*, 56.

percussion carbines and Austrian hussar sabers. After the war with France they were upgraded.<sup>309</sup> “By the end of 1869, Baden’s armed forces were, in effect, a separate army corps within the Prussian army, with corresponding insignia and service grades.”<sup>310</sup> In 1870 Baden sent 45,000 troops, designated as the XIV Army Corps by the Army of the North German Confederation, under the command of Prussian General August von Werder to fight against France and distinguished itself during the fighting. On 25 November 1870 a military convention was signed between Baden and Prussia. Baden’s War Ministry was dissolved and all of the administrative functions, organization, conscription and mobilization, officer promotion and appointments, military justice and discipline, housing of troops, and retirement all came under the jurisdiction of the King of Prussia. In July 1871 Baden’s army officially became the XIV Corps of the Army of the German Empire.<sup>311</sup>

“The union of Baden’s troops with those of Prussia represented the culmination of what had most likely been the most important aspect to the prelude to German Unification, the extension of Prussian military institutions and practices to other parts of Germany, and the absorption of non-Prussian military forces into the Prussian army”<sup>312</sup>

Adoption of the Prussian military system certainly assisted the integration of Baden into the German Empire, but it is also clear that because of its known desire to join the North German Confederation unconditionally that Baden had no ability to negotiate terms (as did Wurttemberg and Bavaria) to join the German Empire.

**3. The Army of Württemberg.** King Karl and particularly Queen Olga were against Württemberg participating in any type of German unification and wanted to retain Württemberg’s independence and their sovereignty.<sup>313</sup> The Foreign Minister Freidrich von Varnbueler was enough of a realist to recognize that economically Württemberg had to cooperate with Prussia but worked to maintain

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<sup>309</sup> Michael Solka and Darko Pavlovic, *German Armies 1870-71(2): Prussia’s Allies* (New York: Osprey Publishing, 2005), 4-7.

<sup>310</sup> Ellis, “Army State and Politics in the Grand Duchy of Baden, 1866-1920,” 54.

<sup>311</sup> Ibid., 57.

<sup>312</sup> Ibid., 58.

<sup>313</sup> Holborn, *A History of Modern Germany 1840-1945*, 206.

Württemberg's independence and sovereignty both politically and militarily.<sup>314</sup> In a speech to parliament in December 1867, von Varnbueler stated "Württemberg wants to remain Württemberg so long as it has the power."<sup>315</sup> Domestic popular opinion was decidedly anti-Prussian in Württemberg. There was strong parliamentary support for the war against Prussia in 1866 to the point that rather than accept defeat "some newspapers called for popular resistance on the model of Spain against Napoleon", and this anti-Prussian opinion continued after the peace treaty.<sup>316</sup> The King, however, was stunned by his army's poor performance in the war against Prussia and decided that it had to be reformed. He fired his War Minister and then found in the new War Minister's adjutant, Major Albert von Suckow, a competent military advisor who he promoted to be Chief of Staff of the Army. Suckow was from Mecklenburg, a longtime ally of Prussia, and he admired the Prussian military and its system. He began his reform by adopting the Prussian needle gun, and organizing the army along the lines of a Prussian division. He adopted Prussian drill regulations but was careful to import drill instructors from Baden rather than Prussia to minimize any potential fallout from having Prussians instructing the troops. Under the context of the defensive treaty of alliance he sent officers as students to Prussian military schools in Berlin in order for the Armies to be able to work together better in wartime.<sup>317</sup> The parliamentary opposition to Prussian reforms was led by the democratic German Peoples Party that pushed for a system based on the Swiss militia model as being more desirable than the Prussian system.<sup>318</sup> When Suckow tried to pass conscription laws he was forced to compromise so that the term of service was limited to two years, and one year volunteers could apply for government support if their family could not pay their expenses. This did not placate the Peoples Party which collected the signatures of three quarters of the number of voters who normally voted in state elections opposing the new conscription laws, demonstrating just how unpopular the military reforms

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<sup>314</sup> Pflanze, *Bismarck and the Development of Germany*, 385. See Also, Showalter, *The Wars of German Unification*, 214

<sup>315</sup> Ibid., 394.

<sup>316</sup> Showalter, *The Wars of German Unification*, 214

<sup>317</sup> Ibid.

<sup>318</sup> Holborn, *A History of Modern Germany 1840-1945*, 206

associated with Prussia were.<sup>319</sup> The organization of the Landwehr in Württemberg was not reformed, and Württemberg kept its own uniforms.<sup>320</sup> The infantry, both Jaeger and line regiments were equipped with the M1867 Prussian needle rifle. The Cavalry regiments were equipped with both the Prussian M1857 needle carbine for one third of the force, while the remainder had percussion pistols and sabers. The Artillery was equipped with Krupp cannons, but painted in their own brownish green-grey colors.<sup>321</sup> What is seen in Württemberg is much less military cooperation and integration than occurred in the North German Confederation or in Baden. What reforms occurred were done against significant political and public opposition. Wurttemberg was politically so anti-Prussian that the Foreign Minister, von Varnbueler, did not want the secret defensive – offensive alliance treaties to be made public and requested a declaration from Berlin that the treaty was only defensive.<sup>322</sup> This was refused and anti-Prussian sentiment intensified. The partial military reforms were the only venue of cooperation moving toward integration in Württemberg.

“But with the exception of these military reforms, which, at least in the eyes of the king, had a very ambiguous political meaning, no progress toward German unification was made between 1866 and 1870.”<sup>323</sup>

The Army of Württemberg was put under Prussian command at the beginning of the Franco-Prussian war and was integrated into the Army of the German Empire at its conclusion. In contrast to Baden which openly desired unification, Württemberg wanted to maintain its independence. It adopted the equipment, organization and tactical reforms of the Prussian Army but it kept its distinction as a separate force. That distinction however, was primarily superficial in terms of uniform and limited considering its officers had attended Prussian schools and its troops had adopted Prussian drill and regulation. Most importantly with the publication of the terms of alliance with Prussia they knew that in war they would be fighting along side the Army of the North German Confederation. Given that military cooperation and limited military integration were the only successful moves toward unification in the face of significant political

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<sup>319</sup> Showalter, *The Wars of German Unification*, 214-215.

<sup>320</sup> Howard, *The Franco-Prussian War*, 22.

<sup>321</sup> Solka and Pavlovic, *German Armies 1870-71(2): Prussia's Allies*, 40-43.

<sup>322</sup> Pflanze, *Bismarck and the Development of Germany*, 386.

<sup>323</sup> Holborn, *A History of Modern Germany 1840-1945*, 206

opposition, it must be seen that even limited military integration has a powerful effect. Finally, although its nominal military separateness gave it some bargaining leverage when negotiating its entry into the Empire, it was less leverage than Bavaria which had a larger and more independent force.

**4. The Army of Bavaria.** Bavaria saw itself as equal to the Prussians politically and had no desire to join the protestant Prussian dominated North German Confederation. In late 1866 Bavarian King Ludwig II appointed Prince von Hohenlohe as Prime Minister. He had advocated Bavarian cooperation with Prussia before the war and thought that German unification was inevitable.<sup>324</sup> On the other hand, domestic political opinion in Bavaria was decidedly anti-Prussian so that when a “Constitutional Alliance” was put forward in 1867 by Bismarck that Württemberg found acceptable, Hohenlohe could only dismiss it.<sup>325</sup> Hohenlohe also had to reject the Zollparliament at first, and Bavaria only agreed to join after winning concessions that limited its jurisdiction and increased their influence. Even then the upper house of the Bavarian parliament sought to block the deal until Hohenlohe took the speaker to Berlin to meet with Bismarck, and pressure from business interests forced them to accept.<sup>326</sup> Anti-Prussian Bavarians simply moved to send delegates to the Zollparliament that would preserve Bavarian interests and block Prussia. This opposition was centered on the Patriot Party. It was composed of peasants, clergy, aristocracy, and democratic left who were against “dancing to Bismarck’s fiddle”.<sup>327</sup> Bavaria’s opposition to Prussia was more than a political desire for independence, but rather there were strong issues of cultural identity that worked to drive Bavarian policy.<sup>328</sup> This cultural identity was recognized by Bismarck, and was one of the chief reasons he was not in a hurry to absorb the south German states. The 1869 election gave the Patriot Party a significant victory and they attacked the government for the military alliance with Prussia, characterizing it as an “underhanded means to

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<sup>324</sup> Ibid., 206-207.

<sup>325</sup> Pflanze, *Bismarck and the Development of Germany*, 386.

<sup>326</sup> Ibid., 391-393.

<sup>327</sup> “But the bulk of the opposition was confessional and particularistic, rather than political. Catholics, both clergy and laymen, feared domination by the Protestant north. Conservative aristocrats were horrified by the prospect that the Wittlesbach dynasty, Germany’s oldest, should be mediatized by a Hohenzoller. Bavarian nationalism, moreover, was a vital force for particularism, especially in “old Bavaria,” the kingdom’s nucleus.” Pflanze, *Bismarck and the Development of Germany*, 396.

<sup>328</sup> From this author’s personal experience this nationalism still exists and can be seen expressed linguistically and even in the color of the markers delineating international borders.

transform Bavaria into a spike-helmeted province of a German union that was only Prussia writ large.”<sup>329</sup> Prince Hohenlohe was not able to resist the push of anti-Prussian political sentiment and he resigned in February of 1870. His replacement as Prime Minister, Count Otto Bray-Steinberg, supported greater cooperation with Austria and absolutely supported Bavarian independence.<sup>330</sup> In addition he pronounced the alliance with Prussia to be strictly defensive, not offensive.<sup>331</sup> The potential for union with the North German Confederation was very slim prior to the war with France.

Immediately after the debacle of the unexpected defeat in 1866, the Bavarian army realized the need for reform. King Ludwig II appointed General Sigmund von Pranckh Minister of War in August 1866. By the end of 1866 he proposed the adoption of most of Roon’s Prussian Army reforms: introduction of universal conscription and one year special volunteers, abolishing paid substitutions and exemptions, divided Bavaria into military districts, and reorganized the Landwehr according to the Prussian system. These reforms were opposed in the parliament; particularly by the Patriot Party. They objected that Bavaria could not afford the reforms and suggested that the Swiss system would be a better model for reform which would have the added benefit of impeding Prussian-Bavarian military cooperation and reducing the chance of becoming involved in a conflict as an active participant with Prussia.<sup>332</sup>

“They felt that Bavaria could not bear such a heavy financial burden – particularly for a system that they foresaw would only diminish Bavarian independence and reduce their army to a mere cog in the Prussian military machine.”<sup>333</sup>

In the end however, Pranckh’s reforms were passed into law, but those were just the initial reforms.

Pranckh had the Bavarian War Ministry develop a comprehensive mobilization plan with emphasis on coordination with the railroads. He implemented large scale field maneuvers by 1867 to train large units. Also in 1867 Pranckh established a War Academy patterned after the Prussian school, and instituted an

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<sup>329</sup> Showalter, *The Wars of German Unification*, 215.

<sup>330</sup> Holborn, *A History of Modern Germany 1840-1945*, 207-208

<sup>331</sup> Showalter, *The Wars of German Unification*, 215.

<sup>332</sup> Arthur Thomas Coumbe, “The Reputation of an Army: Foreign Opinion of the Bavarian Army in the Franco-German War, an Illustrative Case Study” (Ph.D. Dissertation, Duke University, 1985), 90-92.

<sup>333</sup> *Ibid.*, 91-92.

inspectorate to manage the military school system and enforce adherence to standards and regulations. Standards for the recruiting of officers were raised. Prussian regulations for drill, and the functioning of the various combat and support arms were adopted. Military cooperation did exist between the armies based on the offensive-defensive alliance. Prussia and Bavaria exchanged military representatives; they cooperated on combined mobilization and concentration plans as well as operational plans for a possible war with France.<sup>334</sup>

Cooperation for Bavaria had significant limits. As part of the military reforms Bavaria rearmed but in contrast to the other south German states Bavaria did not adopt the Prussian Dreyse needle rifle. Bavaria equipped its troops with Bavarian weapons. The majority of Bavarian infantry were equipped with a Bavarian muzzle loading rifle converted to a percussion firing breech-loader; the M1867 Podewils rifle. Because of its low rate of fire it was being phased out and replaced with the Bavarian M1869 Werder rifle. This rifle was the best available in Europe, using metal cartridges with a base primer (i.e. modern cartridges) unlike the paper cartridges for the needle gun.<sup>335</sup> The Werder was superior to the French Chassepotte in its ballistics as well.<sup>336</sup> The only negative factor was that it had only been produced in limited numbers and by the time of the war with France only four Jaeger battalions had been issued the rifle and during the war two line infantry regiments were able to trade their Podewils for Werders. Bavaria entered the war with both the best and probably worst standard infantry weapons on the German side; but most importantly they were Bavarian designed and produced. The Cavalry were equipped with Bavarian M1843 percussion pistols, Bavarian straight swords or sabers, and a few received M1869 Werder pistols and M1869 Werder carbines. The Artillery was equipped with the Bavarian Zoller system. The other major difference that set the Bavarian Army apart was its uniforms which were of a

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<sup>334</sup> “The arrangements made for a joint north-south mobilization in the event of a German war against France, completed in 1868, formed the basis for the actual deployment in July 1870. Moreover, Bavarian and Prussian officers reached an agreement on the operational and strategic conduct of a possible war against France.” Arthur Thomas Coumbe, “The Reputation of an Army: Foreign Opinion of the Bavarian Army in the Franco-German War, an Illustrative Case Study” (Ph.D. Dissertation, Duke University, 1985), 93-96.

<sup>335</sup> Solka and Pavlovic, *German Armies 1870-71(2): Prussia's Allies*, 10-13. See Also; Showalter, *The Wars of German Unification*, 215.

<sup>336</sup> Coumbe, “The Reputation of an Army,” 97.

completely different design and color than the other German troops. The General Officers, Jaegers, Line infantry, and Cuirassiers were dressed in light blue, the Artillery, Engineers, Trains, and Medical troops wore dark blue, and the rest of the Cavalry wore dark green uniforms. The rank insignia were completely different; the Prussians wore their rank on their shoulders while the Bavarians wore theirs on their collars. The Bavarians also wore a distinctive crested helmet (the Raupenhelm - catapillar helmet) with differing plumes depending on the unit that set them apart from the other “spike helmeted” (Pickelhaube) German armies.<sup>337</sup>

The reformed Army of Bavaria performed in an outstanding manner in the war with France. Bavaria was the largest, most powerful, and culturally distinct of the south German states. It also had done the least in terms of military integration. The least militarily integrated and most politically opposed to union got the most concessions for its entry into the Empire, *but it still entered the Empire*. In addition, although part of the customs union, Bavaria had used the Zollparliament to block efforts to bolster any further political union based on economic cooperation, so it was military cooperation and limited military integration based on the offensive and defensive alliance that was the only tangible movement toward German unification in Bavaria prior to 1870. It is also interesting that the opponents of unification with the north saw military cooperation and integration as a threat that would diminish Bavarian independence. Given the overwhelming political anti-Prussian sentiment and issues of cultural identity that strongly opposed union with the north; the integrative effect of even limited military cooperation moving toward integration must be seen as extremely powerful.

#### **2-3 (d). Measuring the Independent Variable – The degree of integration of military capabilities and the capacity to produce military capability**

This paper argues that once a decision is made to integrate military capabilities, especially the integration of the capacity to produce military capability, an Amalgamated Security Community (a state or state like entity) will form as a result, and that this process is the mirror image of state dissolution. This proposition leads to a dichotomous dependent variable: state formation / state dissolution. For

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<sup>337</sup> Solka and Pavlovic, *German Armies 1870-71(2): Prussia's Allies*, 7-14.



Amalgamated Security Community formation the key act is security integration which is a tipping point while for state dissolution the key act is security disintegration as sub-state elements establish independent military generation capability. The independent variable is the degree of integration of military capabilities and the capacity to produce military capability. The independent variable will be measured by category in the case of the creation of the German Empire based on the evidence that has been presented. This will be done for the North German Confederation, Baden, Württemberg, and Bavaria.

**Category 1** - Military forces; consisting of administrative staffs and operational forces.

The Army of the North German Confederation almost completely merged its administrative functions under the supervision of the Prussian Army and general staff to include military schools, pay, promotion, reserve system, mobilization, retirement and recruitment. The only divergence was the Saxon cadet academy, and the ability of state contingent commanders to appoint officers although these could be removed by the Prussian King if found to be unfit. The Operational forces were completely integrated even though the Saxon and Hesse contingents kept their own unit designations they were an integral part of the Army of the North German Confederation. The integration in this case comes very close to being complete and therefore should be scored close to a four so it will be scored as a 3.9, in recognition that the integration was almost complete.

The Army of Baden had additional treaties with Prussia that permitted cadets, officers, and administrators to be trained in Prussia and for Prussian officers to assume senior military positions in the Army of Baden such as Chief of Staff and Minister of War. Baden adopted all of the Prussian regulations in every aspect to include uniforms of its troops. The Grand Duke however still appointed his own officers and Baden still had its own War ministry. Operational forces were led into combat against the French by Prussian General Werder and were designated as the XIV Army Corps of the Army of the North German Confederation and then Empire. Therefore based on having integrated combat forces and some administrative functions this indicates a medium level of integration and will be scored as a 3.

The Army of Württemberg adopted Prussian unit organization, drill regulations, and equipped its force with Prussian weapons but its drill instructors were from Baden not Prussia. It only partially adopted the conscription reforms and kept its own uniforms and paint on its equipment. It maintained its own War Ministry with total control of its administrative functions for appointments, promotions, retirements, etc... It did however send officers as students to the Prussian military schools and cooperated on operational war planning. It functioned as a Prussian style division and was placed under Prussian command during the war with France. Operational forces can be said to have been partly integrated in terms of organization, tactics, and equipment but this was limited with no integration in terms of administration. Therefore with some combat force integration this measure is very low and will be scored as a 1.

The Army of Bavaria did adopt most of the Prussian reforms regarding conscription and reorganization of the Landwehr. It also adopted Prussian regulations for drill, and the functioning of the various combat and support arms. However, it maintained its own War Ministry and military school system. It equipped its own forces and uniformed them with Bavarian manufactured items. It entered the war with France as a distinct Army Corps allied with the North German forces but under the operational control of the Prussian King. There was no administrative integration. The key aspect of integration of combat forces was in terms of organization and use of Prussian regulations for the functioning of the various combat and support arms which did make the Bavarian forces interoperable operationally with their North German allies. With a minimum of combat force integration this measure is not zero but is very low and will be scored as a 1.

**Category 2.** Arms production and Technology as a factor in arms production.

The Army of the North German Confederation was equipped primarily with Prussian weapons and will be scored as a 4.

The Army of Baden was likewise equipped with Prussian equipment and Baden produced Prussian equipment (Baden M1867 needle gun). Despite some cavalry units not having been upgraded

prior to the War with France (they were upgraded after) this example still exhibits a complete sharing in production which must be scored as a 4.

The Army of Württemberg also adopted Prussian equipment. Also, though some cavalry units were not upgraded it was due to time and money not sharing of technology or production. Therefore this example must also be scored as a 4.

The Army of Bavaria completely designed and equipped its army with its own manufactured weapons and equipment. Therefore this example must be scored as a zero.

**Category 3.** Military technology as a factor in operational (combat) forces.

The army of the North German Confederation, The Army of Baden and the Army of Württemberg all used Prussian equipment and therefore must all be scored as a 4. The Army of Bavaria used non-compatible equipment both in the obsolescent Podewils rifle and the advanced Werder rifle. Bavaria's artillery was also not organized or equipped with compatible weapons and therefore this example must also be scored as a zero.

**Category 4.** Creation of combat power; Doctrine, Training, Leader Development, Organization, Materiel, and Soldiers. (DTLOMS)

The Army of the North German Confederation completely adopted Prussian doctrine and had a mechanism for updating any changes throughout the army. It also shared the same military school system and training standards. Although Leaders could be appointed by state contingents they were subject to removal by the King of Prussia and they all had to attend the same schools (except for Saxon cadets). Prussian organization, regulations and equipment were standard. Soldiers were conscripted, promoted, placed in the reserves, and retired by the same law as well as the overall strength of the army being the same across all states of the confederation. This category is very close to being completely integrated (despite minor exceptions) so that it must be scored as a 3.9

The Army of Baden likewise adopted all Prussian measures in terms of doctrine, training standards and sending its officers to school. It used the same organization and equipment. It also adopted the Prussian conscription law and formula for the size of the army. The only thing lacking was the formal

administration of these aspects of Baden's military by Prussia. Baden administered its own army through its War Ministry for recruitment, promotions, retirements etc... On the other hand Prussian officers were placed in charge of Baden's War Ministry and army. This impacts the score which otherwise would have been at a medium level, but this level of integration is very close to complete and must be scored as a 3.9 as well.

The Army of Württemberg also adopted Prussian reforms in terms of doctrine, training standards, and sending its officers to Prussian schools. Although Württemberg used officers from Baden as instructors it was still effectively adopting Prussian drill, regulations, and methods. Suckow organized the Army of Württemberg along the lines of a Prussian division so organizationally it matched Prussian forces. Materiel was purchased from Prussia. Leader development was primarily an issue internal to Württemberg except the schooling received in Prussia. In terms of Soldiers (personnel issues), Württemberg only partially adopted the conscription reforms and only half heartedly enforced those, and did not reform the reserve system. Promotions, assignments, pay, retirement and all other personnel issues were internal to Württemberg. Integration was not complete but included critical areas which is a medium level of integration and will be scored as a 3.

The Army of Bavaria adopted Prussian regulations for drill, and the functioning of the various combat and support arms. It established its own military school system but it was patterned after the Prussian schools. So in terms of Doctrine and Training it adopted the Prussian system. Leader development was accomplished internal to Bavaria with no indication of any systematic sending of officers to Prussian schools, only the exchange of high level military representatives. Organization was along Prussian lines but not completely; the Artillery particularly was not compatible. Materiel was completely Bavarian. Bavaria however did adopt most of Roon's Prussian Army personnel reforms of universal conscription and reform of the Landwehr according to the Prussian system. For the Army of Bavaria there was some integration in basic areas which equals a low level of integration and will be scored as a 2.

**Category 5.** Use and sustainment of military forces; Command and Control (C2) Communications, Logistics.

It is in this area that the terms of the Peace treaty that mandated joint railway commissions and railway telegraph communications along with the terms of the offensive-defensive alliance treaties placing the south German states militaries under the command of the King of Prussia comes into play. The Army of the North German Confederation, the Army of Baden, the Army of Württemberg, and the Army of Bavaria were under the operational command of the King of Prussia which meant under the effective command and control of the Prussian General Staff. It was in conjunction with this command relationship that joint planning was conducted for mobilization, deployment concentration, and operational maneuver in the event of a war with France. The telegraph and railroad systems that were critical to the Prussian way of war under Moltke were controlled by the Prussian General Staff so that the operational Command and Control, Communications, and Logistics for all of the armies was basically a single system controlled by a single organization. This is a high level of integration and will be scored as a 4 for each army.

**Category 6.** Budget issues regarding public goods and burdensharing.

The Army of the North German Confederation had a combined budget. This was the “iron budget” levy of 225 thalers (currency unit) per soldier automatically paid by each state in the confederation annually based on the number of soldiers from their state serving in the army. This is complete integration and is scored as a 4.

The Army of Baden presents a challenge in this category. Baden’s cadets, officers, and administrators were trained in Prussia and Prussian officers assumed senior military positions in the Army of Baden. This is not just a personnel issue but a budget issue as well. Either Baden paid for their students and the Prussian officers or Prussia paid or there was a joint method. An assumption can be made regarding the purchase by Baden for all equipment and uniforms for its forces, but that is not clear with this exchange that was rather extensive and included civilian administrators. For this reason there was some minimal joint budget arrangement and therefore this example will be scored as a 1.

There is no evidence that the Army of Württemberg or the Army of Bavaria participated in any joint budget with Prussia; there were too many political obstacles to any type of arrangement in this area. Both of these examples must be scored as a zero.

Overall scores for each of the armies when all of the scores of the categories of the independent variable are taken together are as follows:

The Army of the North German Confederation (Category 1=3.9, Category 2=4, Category 3=4, Category 4=3.9, Category 5=4, Category 6=4) the result is an average score of 3.96 which is a high level of integration.

The Army of Baden. (Category 1=3, Category 2=4, Category 3=4, Category 4=3.9, Category 5=4, Category 6=1) the result is an average score of 3.3 which indicates a medium to high level of integration overall in this example.

The Army of Württemberg (Category 1=1, Category 2=4, Category 3=4, Category 4=3, Category 5=4, Category 6=0) the result is an average score of 2.6 which indicates a low to medium level of integration overall in this example.

The Army of Bavaria (Category 1=1, Category 2=0, Category 3=0, Category 4=2, Category 5=4, Category 6=0) the result is an average score of 1.1 which indicates a low level of integration overall in this example.

It is interesting that the effect of military integration overcame tremendous obstacles to unification in the case of Germany. It is true that the federal character of the government of the German Empire allowed dissimilar political units to maintain varying degrees of local jurisdiction, power, and ability to raise revenue that mitigated the pain of lost sovereignty. It is also true that the economic benefits of union helped preserve the Empire once created, but economic benefit could not overcome desires to retain political independence. The integrative effect of the military continued to build an overarching “German” identity after the end of the Franco-Prussian war.

“Yet the army of the Second Reich did not use its status as a means of expanding its spectrum of domestic influence directly. Instead, after 1871, it sought to enhance its position by concentrating even more closely on keeping abreast or ahead of the rapidly changing techniques of making war.

Military modernization **facilitated the army's role as an instrument of social integration**, and increased its power relative to other institutions, but was not undertaken primarily for either purpose."<sup>338</sup>

#### **2-4. (a). History of the Dutch Republic – Dutch Revolt to Independence**

The case of the creation of the Dutch Republic is significant for several reasons. The previous cases were in the context of the warrior culture of the Zulus and the Prussian state; often seen as the archetype of a militarized society. The previous cases also occurred in a relatively short time frame. This case is focused on a non-militarized entity that took a long time to coalesce. It also includes the factor of mercenary troops. It is a case of the creation of one of the first republican states in Europe. The history of the United Provinces provides a clear example of heterogeneous sovereign entities, fiercely protective of their rights as well as fiercely competitive with each other, that evolved into a single entity when for a great majority of the time the only strong bond between them was a common military and a common foe. As such this case highlights the construction of identity through military integration. This case is focused on the process of the creation of the Dutch Republic from the Dutch Revolt of 1567 to 1648 and the treaty of Munster that formally recognized it; a period known as the Eighty Years War. Traditional histories portray the Dutch Revolt as a conflict with three components; a struggle against Catholic religious oppression by the Northern Protestant provinces, a struggle to protect the privileges and local rule of the provinces, as well as a struggle against oppressive taxation and to protect free trade. Later historians pointed out that conflict resulted in a Protestant North and a Catholic South but the provinces were not arranged that way in the beginning. They also showed that a considerable part of the conflict was by its nature a civil war among the seventeen provinces rather than a fight against a foreign power. In addition a large part of the population was not made up of religious extremists but rather moderates who sought to reconcile Protestants and Catholics; chief among these was William of Orange the acknowledged leader and embodiment of the early revolt. Finally, modern historians have also pointed to the impact of international developments and weakness of Spanish finances as being the underlying factors for the

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<sup>338</sup> Showalter, *The Wars of German Unification*, 348.

eventual success of the Dutch Revolt.<sup>339</sup> It is quite clear that the initial efforts against the Spanish benefited from the inability of the Spanish to focus their might against the Dutch. If the Spanish had not been preoccupied with fighting other major powers such as the English they might well have made short work of the Dutch rebellion with what at the time was the best army in Europe. The Spanish dissipated not only their military force but their economic resources as well, so that when a sustained campaign might have crushed the Dutch, they were unable to do so because their own army revolted over lack of pay and began looting the territory they were trying to restore to Spanish control. Politically, the Spanish might have been able to maintain control or co-opt the rebels if they were not constrained by Philip II's policies that were driven by religious considerations (i.e. obsessively consumed by a desire to oppose the Reformation), that prevented a negotiated settlement. On the other hand the Dutch over time developed an efficient and effective defensive military capability. This happened after Philip II and William of Orange had left the scene and Maurice of Nassau developed the army to defend Dutch independence. This long process created an Amalgamated Security Community and eventually a state and Dutch identity.

The seventeen provinces that comprised the Hapsburg (or Spanish) Netherlands were not united until the Holy Roman Emperor Charles V issued "the Pragmatic Sanction of 1549. Prior to this they had no common history and had belonged to different masters, some were Burgundian provinces, Utrecht had been a bishopric, others owed allegiance to the Holy Roman Emperor. In 1559 governing the Netherlands was left to Margret of Parma, assisted by Archbishop Granvelle whose highhanded rule caused a backlash by the Netherlands nobility; chief among them was Prince William of Orange. Although the nobles persuaded Philip II to get rid of Granvelle, Philip demanded the strict application of heresy laws and ecclesiastical reforms from the Council of Trent and by 1565 intended to establish the Spanish Inquisition in the Netherlands. Calvinists 'Beggars' asked him to reconsider but the small army of Beggars was defeated in 1567. Philip was not satisfied and sent the Duke of Alva with an army to punish all those

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<sup>339</sup> Graham Darby, "The Dutch Revolt," *History Review*, no. 43 (2002)



involved in rebellion and heresy as well as setting up the “Council of the Troubles” that executed so many for heresy and rebellion it was known as the “Council of Blood.” The Duke of Alva greatly increased taxes to pay for his army. The repression and large tax demands pushed many of the Netherlands population into opposition to the Duke of Alva as well as Philip II. In April of 1572 the Sea Beggars captured the city of Briel in Zeeland. William of Orange then moved into the Netherlands with twenty thousand troops. In the provinces of Friesland and Zeeland citizens of numerous cities and towns angered by taxes and the Council of Troubles opened the gates to the Beggars and supporters of William of Orange. A meeting of the Estates (provincial assembly) of Holland was convened and proclaimed William of Orange stadholder in Holland, Zeeland, West Friesland, and Utrecht. It also began to provide funds to William for military forces which he had financed personally until then.<sup>340</sup> This can be seen as the beginning of the process of military integration and amalgamation. The stadholder was the name for the governor representing the sovereign who commanded the area’s forces, as well as a representative of the province to the king. The stadholder had considerable influence over local politics by having the right to select local office holders from prepared lists.<sup>341</sup> The Estates of Holland proclaimed that William of Orange was the true representative of the King, so they could claim to be loyal subjects fighting only against the tyrannical and excessive rule of the Duke of Alva. They were not seeking independence but a return to local rule with its privileges and trade advantages.<sup>342</sup>

The nature of terrain greatly influenced the conduct of the conflict. The Southern provinces suffered the most because they were difficult to defend while the Northern provinces of Holland and Zeeland possessed significant water obstacles for any attacker. The Duke of Alva complained “there is no place great or small, not even the most wretched village, that has not a water-filled ditch that requires

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<sup>340</sup> Historical background 1549-1572, various sources: Petrus Johannes Blok, *History of the People of the Netherlands: Part III The War with Spain*, trans., Ruth Putnam (New York: The Nickerbocker Press, 1900). Also; Bernhard H.M. Vlekke, *Evolution of the Dutch Nation*. (New York: Roy Publishers, 1945). Also; G.J. Renier, *The Dutch Nation; an Historical Study*, (London: The Netherlands Government Information Bureau; George Allen & Unwin Ltd., 1944).

<sup>341</sup> Herbert H. Rowen, *The Princes of Orange: The Stadholders in the Dutch Republic*, (New York: Cambridge University Press, 1988), 1-4.

<sup>342</sup> Mark R. Brawley, *Afterglow or Adjustment? Domestic Institutions and Responses to Overstretch*, (New York: Columbia University Press, 1998), Chapter 4.

bridging for its passage.”<sup>343</sup> The army of the Duke of Alva was composed of four *tercios* (the basic Spanish infantry formation of the time which was a combination of pikemen and arbusques) from Lombardy, Sardinia, Sicily, and Naples. Other troops were Walloons, Burgundians, and Germans. These were supplemented by Spaniards, but the mixture of troops caused the army to suffer from the defects of a mercenary force.<sup>344</sup> Without pay it became more of a danger to its officers and the local population than to the enemy.

Between 1573 and 1576 fighting spread across the Netherlands and to the sea. Although some cities fell to the Spanish it happened after long sieges (Haarlem), others were saved by opening the dykes and flooding the surrounding countryside (Alkmaar, Leyden) demonstrating the possibility of a successful defense against the Spanish Army. Victories at sea (Zuider Zee, Eastern Scheldt) ensured sea trade routes remained open. Meanwhile the Spanish Army mutinied multiple times for lack of pay; plundering whole districts and greatly increasing hatred of the Spanish.<sup>345</sup> The Spanish army in the Netherlands was owed six million crowns (currency unit) in back pay. Phillip II's revenues amounted to about ten million crowns while expenses just for the Spanish Army and Navy were eight and a half million. The interest on Spain's national debt consumed about a third of all revenue. Phillip II declared state bankruptcy in September 1575 by suspending all payments to creditors ending Spain's ability to borrow money to pay for operations in the Netherlands.<sup>346</sup> This set in motion a chain of events leading to an almost total collapse of Spanish government. Antwerp was plundered extensively and large parts destroyed (the so called 'Spanish Fury') while the mutinous troops almost completely left Holland, Zealand, Gelderland, and Utrecht. The mutinous plundering Spanish army had alienated the provinces in the southern Netherlands to the point that William of Orange was able to persuade all the provinces to join Holland

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<sup>343</sup> Duncan Caldecott-Baird, *The Expedition in Holland 1572-574; The Revolt of the Netherlands: The Early Struggle for Independence From the Manuscript by Walter Morgan*, (London: Seeley Service and Company, 1976), 38.

<sup>344</sup> Ibid., 34.

<sup>345</sup> Vlekke, *Evolution of the Dutch Nation*, 143-144. See Also; Blok, *History of the People of the Netherlands: Part III The War with Spain*, 73 and 79-88. See Also; K.H.D. Haley, *The Dutch in the Seventeenth Century*, (London: Harcourt Brace Jovanovich, Inc., 1972), 30.

<sup>346</sup> Blok, *History of the People of the Netherlands: Part III The War with Spain*, 87 – 94.

and Zeeland. At Ghent in November 1576 all of the provinces signed the “Pacification of Ghent” which repealed all of the Duke of Alva’s laws and the ‘Council of the Troubles’ sentences and demanded the departure of all Spanish troops. The nobles of the southern Netherlands would not follow William of Orange, and the Catholic provinces did not allow Protestants to return and openly worship nor did the northern Calvinists allow Catholics to do the same. Therefore, the union of all of the provinces against Spain was short lived. On 6 January 1579 the Southern Catholic provinces in reaction against the Calvinists and religious unrest signed the Union of Arras reconciling those provinces with the Spanish king. The Northern provinces signed the Union of Utrecht on 23 January 1579. With the Union of Utrecht and the Union of Arras, the Netherlands was permanently split by an enduring north-south divide.<sup>347</sup>

The Union of Utrecht is often seen as the founding document of the United Provinces. At the time however, it was viewed more as a temporary alliance.

“The provinces that adhered to the Union of Utrecht, did not constitute any obvious natural unit. The frontier between rebel and Spanish-occupied territory did not correspond originally to any national, religious, social, historical, or linguistic division. In an era when men thought that religious unity and political unity went hand in hand, the northern provinces contained at least as many Catholics as Protestants. The Union itself was a military alliance of seven very different provinces with different interests and strongly separatist instincts. It was essentially a defensive reaction against Spanish oppression, not the outcome of a positive Dutch national feeling which already existed.”<sup>348</sup>

The unifying principle of the Union of Utrecht was a negative one of common defense against foreign attack. There was no other common bond as the provinces often directly competed against each other commercially. The provinces of the Northern Netherlands approved the Act of Abjuration formally renouncing Phillip II as Sovereign Lord of the Netherlands on 22 July 1581. It did not create an independent state or create a republic.<sup>349</sup> Rather they went shopping for a new Sovereign offering the post to a variety of people (Duke of Anjou, King of France, Queen Elizabeth) but none of them took the

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<sup>347</sup> Blok, *History of the People of the Netherlands: Part III The War with Spain*, 133-139. See also; Vlekke, *Evolution of the Dutch Nation*, 150.

<sup>348</sup> Haley, *The Dutch in the Seventeenth Century*, 12. (underline by this author)

<sup>349</sup> Rowen, *The Princes of Orange: The Stadholders in the Dutch Republic*, 24-26.

job. In 1580 Phillip II put a price on the head of William of Orange and on 10 July 1584 William of Orange was assassinated in his home in Delft.<sup>350</sup>

The Dutch Revolt continued because the governing capacity in the States General, provinces, and municipal governments prevented political chaos, and they could afford to continue the fight. Unlike the Spanish, they were financially sound. Although not the richest or most populated, the Northern Provinces benefited from the plundering troops and sieges that devastated the Southern Netherlands by securing the majority of trade while the refugees from the South were trades people and professionals who boosted economic activity. Sea victories allowed escalation of the seafaring tradition and lucrative sea trade and the shipbuilding industry. A choice location at the mouth of major rivers allowed access to the interior as well as access to England, Scandinavia, and the Baltic. In about 1590 they designed the ‘Fluyt’ type of cargo ship that had a greater capacity and was cheaper to build than ships of competing naval powers with innovative standardized construction methods and use of wind powered sawmills and heavy cranes. Trade was expanded to the Mediterranean (including to the Ottoman Empire by 1612) after the Dutch defeated the Spanish fleet. Trade expanded world wide with Dutch trading colonies in the Caribbean, North America, the East Indies, and Indian Ocean. In 1602 the Dutch East Indies Company was established. By 1670 Dutch sailors accounted for almost one in ten of the adult male population.<sup>351</sup> “As of 1670, the Dutch owned three times the tonnage of the English, and more than the tonnage of England, France, Portugal, Spain, and the Germanies combined. The percentage of Dutch-built ships was even larger.”<sup>352</sup> Sea trade provided a basis for Dutch wealth and allowed urban population growth (the geography of marsh and low lying land precluded the creation of large estates with tenant farmers). Urban population centers diversified the Dutch economy. Amsterdam was an international financial center and a center for the arms and ammunition industry. Other cities were industrial centers for brewing, textiles, ceramics, sugar refining, smelting, tobacco cutting, distilling, silk throwing, glass making, paper making and

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<sup>350</sup> Vlekke, *Evolution of the Dutch Nation*, 149-152.

<sup>351</sup> Haley, *The Dutch in the Seventeenth Century*, 14-30.

<sup>352</sup> Immanuel Wallerstein, *The Modern World System II: Mercantilism and the Consolidation of the European World-Economy, 1600-1750*, (New York: Academic Press Inc., 1980), 46.

printing and dairy products. With a robust and advanced economy the United Provinces were able to fund their armed forces despite rising costs.<sup>353</sup> Holland paid 960 thousand florins (currency unit) for military forces in 1579, in 1599 it paid 5.5 million florins, and in the early 1600's it was paying 10 million florins annually. To raise these sums the United Provinces borrowed money as did all the other powers, but they created an advantage by promptly paying the interest on their debt so that they could borrow at much reduced rates, especially once Amsterdam became a financial center. The combination of an advanced diversified economy with its predominant position in trade and finance along with sound credit allowed the United Provinces to continually fund their armed forces and outlast their financially weak foe.<sup>354</sup>

When William of Orange died John van Oldenbarnevelt, the pensionary of Rotterdam pushed for Maurice of Nassau (William's second son) to be a member on the Council of State created by the States General. Since Maurice of Nassau was only sixteen his command of the army came several years later.<sup>355</sup> In 1585 Oldenbarnevelt pushed for Maurice of Nassau to be named stadtholder of Holland and Zeeland even though he was very young to prevent the Earl of Leicester from obtaining the office. English assistance to the Dutch revolt was not successful and even resented; the English army (lacking pay) became a danger with defecting officers handing over towns and forts to the Spanish. The Estates of Holland then gave Maurice of Nassau the title of prince, gave permission for cities to hire mercenaries and put the province under Maurice's direct control. The English left the Netherlands in late 1587 but Dutch forces did prevent a linkup of the Spanish Armada with the Duke of Parma's land forces.<sup>356</sup>

Maurice of Nassau was named stadholder of Utrecht, Gelderland and Overijssel by 1589. Maurice completely reorganized the army of the United Provinces and in the process became one of the most famous military leaders of his time. One of the key reforms was to have an army that was paid regularly even if it was smaller than previously; this was done to improve discipline and prevent mutinies

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<sup>353</sup> Marjolein C. 't Hart, *The Making of a Bourgeois State: War, Politics and Finance During the Dutch Revolt*, (New York: St. Martin's Press Inc., 1993), 16-18.

<sup>354</sup> Paul Kennedy, *The Rise and Fall of the Great Powers: Economic Change and Military Conflict From 1500 to 2000*, (New York: Random House, 1987), 68 – 69.

<sup>355</sup> Rowen, *The Princes of Orange: The Stadholders in the Dutch Republic*, 32.

<sup>356</sup> Vlekke, *Evolution of the Dutch Nation*, 152-154. See Also; Blok, *History of the People of the Netherlands: Part III The War with Spain*, 197 -234.

and plundering. A smaller force was not a great disadvantage when the canals and rivers allowed troops to be moved quickly to any point in need of reinforcement. Soldiers were made to learn marching and to conduct close order drill. This was further developed into having the soldiers learn to fire by volleys which produced a great increase in firepower. He also improved the artillery force and focused on siege warfare including the building of fieldworks and trenching. His disciplined, reformed army came to be seen as the best in Europe and he hosted one of the first military schools where officers from around Europe came to learn Maurice's methods. With this army Maurice of Nassau began to reconquer territory lost over the past several years.<sup>357</sup> Almost all of his military activity involved sieges; he only fought one field battle (the Battle of Nieuwpoort) which he won.

The United Provinces were included in an alliance with England and France against Spain from 1596-1598 and is significant in that the United Provinces were considered a de facto sovereign power. When Philip II died in 1598 he transferred sovereignty over the Netherlands to his daughter Isabella and her husband Albert the Archduke of Austria.<sup>358</sup> While Maurice of Nassau concentrated on military affairs, the leading politician of the United Provinces John van Oldenbarnevelt, was able to make the complicated multilevel governance in the United Provinces work and continually provide support for the armed forces and defense of the provinces. He could do this because he was the chief official of the dominant province of Holland which provided more than half the budget. His job was not easy and in 1607 he described the problem with the United Provinces:

“The United Provinces are not a republic, but seven individual provinces, each of which has its own form of government, and they have nothing in common but that they are by contract bound to aid one another in mutual defense. Therefore, when there is no danger of an attack from without, this government will fall into absolute anarchy and disorder through mutual jealousy and general indifference, and herein lies one of our weakest points, where the enemy may attack us. If we have not a government with sufficient authority to rule the country, to keep together the provinces and towns in perfect unity; if we have not a government which has authority to force those who resist to fulfill their obligations without having to wait for the consent of provinces and towns, we must be destroyed.”<sup>359</sup>

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<sup>357</sup> Vlekke, *Evolution of the Dutch Nation*, 154-155.

<sup>358</sup> Ibid., 161

<sup>359</sup> J. Ellis Barker, *The Rise and Decline of the Netherlands*, (London: Smith Elder & Co., 1906), 162–163. (underline by this author)

On the other hand he was one of the very same politicians who attempted to protect the interests of their province at every opportunity and resisted attempts to centralize power. In 1602 Oldenbarnevelt stopped an attempt to make Maurice of Nassau sovereign, and though Maurice did not object it indicated where their relationship was headed.<sup>360</sup> Oldenbarnevelt helped negotiate the Twelve Year Truce with the Austrian Archduke in 1609 after the Spanish army's lack of money, mutinies, and poor administration stopped operations.<sup>361</sup> The Truce not only gave the United Provinces a break from the fighting but it provided implied recognition as an independent state as well, since the Archduke agreed to negotiations with the United Provinces as if they were a free and independent state.<sup>362</sup>

After the truce took effect a theological dispute among Calvinists spilled over into politics with the Estates of Holland and Oldenbarnevelt supporting one side, and the States General and Maurice of Nassau the other. In 1616 the other provinces with Maurice's backing sent Holland a demand to restore the peace and agree to a synod to resolve the dispute. The conflict was not about theology at this point but rather between the forces of unity led by Maurice, and the forces of provincial supremacy directed by Oldenbarnevelt. In 1617 the Estates of Holland led by Oldenbarnevelt passed the so called 'Sharp Resolution' that effectively stated the province was sovereign in regards to matters of religion. Most importantly it included a provision for the cities of Holland to raise troops who would take an oath of allegiance only to the States of Holland, not to the Captain-General of the United Provinces. In addition any troops garrisoned there were to accept orders only from local authorities. In the Netherlands each town usually had sheriffs 'schouts' who functioned as police, and local guards / militia called 'schutterijen' that dealt with riots and insurrections, both of whom normally owed allegiance to local authorities. However, when the cities in Holland began raising troops they were called 'waardgelders' a term that meant mercenaries placed on standby (professional soldiers hired by towns rather than the United Provinces), who swore loyalty to the Estates of Holland. Maurice of Nassau was not only stadtholder of five provinces (including Holland) but held the post of Captain-General of the Army (as

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<sup>360</sup> Blok, *History of the People of the Netherlands: Part III The War with Spain*, 289.

<sup>361</sup> Ibid., 300-301.

<sup>362</sup> Vlekke, *Evolution of the Dutch Nation*, 162.

well as titular head of the Navy). As Captain-General of the Army the troops of the United Provinces swore loyalty to him. The *waardgelders* being raised by Holland and not being under his command was an affront to Maurice. The worst part was the insistence that they not obey orders from any source than the local authorities which meant that the States General and Maurice would have no control over them. In Utrecht the allies of Oldenbarnevelt also began to raise *waardgelders*, also without informing the States General or Captain-General, moving Maurice to make a formal complaint to the States General. This highlights that the center of the crisis that forced Maurice to act was the issue of the chain-of-command of the soldiers in the United Provinces and whether a province had the authority to raise troops outside the authority of the States General and the Captain-General of the Army. Maurice had the backing of the States General, most of the Provinces, and the regular army. He used his powers as stadtholder to begin replacing allies of Oldenbarnevelt in other provinces. In July 1618 the States General demanded the *waardgelders* be dismissed in Holland and Utrecht as Maurice in his capacity as Captain-General picked off Oldenbarnevelt's allies town by town. In August 1618 the States General gave Maurice extraordinary powers and he placed Oldenbarnevelt under arrest along with several supporters including Hugo Grotius. Oldenbarnevelt was tried for treason in conspiring to breakup the United Provinces and beheaded in 1619.<sup>363</sup> Grotius had argued that each of the provinces was sovereign under the Union of Utrecht and that the Union was simply an alliance in which the States General simply handled the conduct of the war.<sup>364</sup> What Grotius did not see was that by centralizing the handling of the war the States General developed a superior argument for centralized authority; a monopoly on the legitimate use of force.

This internal conflict was extremely significant for the consolidation of the Dutch Amalgamated Security Community. This established the absolute right of the States General to levy professional troops. This issue was revisited in 1649-1650 when the Province of Holland decided to reduce its financial obligations with a 'Peace Dividend' by defunding foreign troops. William II, stadtholder at the time

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<sup>363</sup> Rowen, *The Princes of Orange: The Stadholders in the Dutch Republic*, 46-51. See Also; Haley, *The Dutch in the Seventeenth Century*, 102-107.

<sup>364</sup> Richard Tuck, *The Rights of War and Peace: Political Thought and the International Order from Grotius to Kant*, (New York: Oxford University Press, 1999), 83.



opposed the move as did the other provinces who accused Holland of violating the Union of Utrecht. When Holland issued orders to disband troops in November 1649, William II used his position as Captain-General to reverse those orders. Eventually, William II was forced to take Amsterdam by force in 1650 at which time Holland accepted that one province alone could not decide to reduce the number of troops in the army.<sup>365</sup> This event also centered on the nature of provincial power vice the States General regarding military forces. The difference between them was that this event revolved around the issue of financial burden-sharing *not* the issue of command and control. After the events involving Oldenbarnevelt and the waardgelders, there was no question of anything other than a single military for the United Provinces.

Once the ‘Twelve Year Truce’ expired, the conflict with the Archduke and Spain resumed in 1621. At this point the conflict had expanded into the Thirty Years War and the United Provinces became involved in a world wide conflict, but those actions are not central to the narrative. Maurice of Nassau died in 1625 and was succeeded by his younger brother Frederick Henry. Although the Spanish had a few initial successes such as the capture of the city of Breda, Frederick Henry took all of the remaining towns of the Eastern provinces, recaptured Breda, and took Maastricht which cut the Spanish off from their Austrian allies. Protracted peace negotiations began in the mid 1640’s and when Frederick Henry died in 1647, Holland took the opportunity to push the other provinces to agree to an end of hostilities. In 1648 Spain formally recognized the independence of the United Provinces in the peace Treaty of Muenster.<sup>366</sup> By the time the Treaty of Munster was signed a clearly Dutch national identity existed.<sup>367</sup>

## **2-4. (b). The Government**

This case provides an interesting example of a minimal form of common government. The United Provinces achieved this minimal government with the Union of Utrecht which, significantly for this study, is almost completely focused on creating a formal bond of common defense among the seven provinces. First and foremost in this case, local governments were the center of gravity for the system

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<sup>365</sup> Rowen, *The Princes of Orange: The Stadholders in the Dutch Republic*, 84-96.

<sup>366</sup> Vlekke, *Evolution of the Dutch Nation*, 200-203.

<sup>367</sup> Haley, *The Dutch in the Seventeenth Century*, 112.

that functioned in the United Provinces. It is not really possible to describe the government in the United Provinces as having been established or even as having been developed because the component parts already existed and functioned prior to the Dutch Revolt. The local governments were already established at the town, city, and province level; the office of Stadtholder existed in each province; and the States General for the Netherlands already existed. Although the United Provinces became a republic it was not for lack of trying to remain a monarchy, and while there were elections for various offices it was not a democracy but rather a type of oligarchy of rich merchants and nobles.<sup>368</sup>

Each province was sovereign within its territory and ruled itself. Each had its own assembly that varied in membership with different methods of selecting members. The Estates of Holland was formed by delegations from eighteen towns; each having one vote regardless of size, and the nobility had one vote as a group also. Changes in size of communities did not change which communities received representation. There was an additional important aspect which was that a majority in the provincial assembly almost never would override the considerations of a key minority. There was a long tradition of consensus, perhaps because the provinces lacked the ability to coerce a city; especially a large one. Throughout the Netherlands there also existed the office of Pensionary; the cities had one as did each province. The Pensionary was a paid legal advisor and secretary (responsible for things such as official correspondence and preparing resolutions as well as seeing them carried out), and often gained great influence by holding office over a long time while the representatives in the assemblies changed. The Pensionary was often part of the provincial delegation to the States General. As the chief official from the largest province the Pensionary of Holland often became the leading official in the United Provinces as well (such as Oldenbarnevelt and de Witt).<sup>369</sup>

The States General was the central body for the United Provinces but it was not designed as a legislative assembly, rather it was a council designed to coordinate a unanimous position of all seven provinces.

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<sup>368</sup> Democracy is an admittedly loaded term but it is safe in this case to refuse to classify the United Provinces as one. All major works refer to the United Provinces as an oligarchy of elites.

<sup>369</sup> Haley, *The Dutch in the Seventeenth Century*, 64-67.

“The Union of Utrecht of 1579 had been in effect a temporary defensive alliance among the provinces to meet the immediate demands of the struggle against Spain; those concerned in it had not attempted to frame a constitution with unified central institutions and a common executive. The prosecution and financing of the war was the primary concern, and the States General existed for this purpose, to discuss consequent problems of foreign relations and to perform certain functions such as the granting of charters to the East and West India Companies; but it did not, at least after Leicester’s departure, legislate on domestic matters.”<sup>370</sup>

If it could be compared to any contemporary body it would likely be the European Council of the European Union. The need to reach a unanimous position meant that there was a great deal of travel (and therefore time delay) involved as the delegations had to report to the provincial assemblies the progress of negotiations and then receive instructions regarding the position of the province and then return to the States General for further negotiations until an agreement was reached. There were also some territories that the States General was responsible for directly; the so called Generality lands which had been conquered but were outside the boundaries of the seven provinces. The other ‘national’ governing body was also for a time a Council of State but it withered after the time of Maurice of Nassau, and was reduced to being an administrative arm of the States General.<sup>371</sup> The United Provinces also did not have a central legal system; rather it was up to the provinces to administer justice.<sup>372</sup> The case of the Dutch Revolt is a seeming anomaly in the paradigm of state formation through a centralizing administrative bureaucracy since it is estimated that by the end of the Eighty Years War the central government of the United Provinces only employed about 300 people.<sup>373</sup>

The office of Stadtholder was peculiar. Each province could have one and they were not supposed to be hereditary. However, the various Princes of Orange and the House of Nassau tended to dominate as stadtholders. Although they were often the stadtholder in multiple provinces the office was not ‘national’ but provincial. However, like the Pensionary of Holland they exercised immense influence. The stadtholder exercised considerable influence over the composition of the town councils (from which

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<sup>370</sup> Ibid., 67.

<sup>371</sup> Jan Glete, *War and the State in Early Modern Europe: Spain, the Dutch Republic and Sweden as Fiscal-Military states, 1500-1600*. (New York: Routledge, 2002), 146.

<sup>372</sup> Haley, *The Dutch in the Seventeenth Century*, 69.

<sup>373</sup> Bruce Porter, *War and the Rise of the State*, (New York: The Free Press Macmillan Inc., 1994), 96.

political power originated) due to the prerogative of being able to select town council members from a list; this gave him at least some patronage and leverage. The posts that were ‘national’ were the positions of Captain-General of the Army and Admiral-General of the Navy. The more political and powerful post was the Captain-General of the Army, which Maurice used to take on Oldenbarnevelt and William II took on the Estates of Holland and city of Amsterdam. These ‘national’ offices were military ones because the heart of the United Provinces was the defensive alliance created by the Union of Utrecht, which became by default the founding document of the United Provinces.

The Union of Utrecht pledged the seven provinces to unite, bind, and confederate with each other “in all ways and manners as if they were one Province alone” without being able at any time to separate or dissolve the union (Article I). Article II requires the provinces to “aid one another with life, goods and blood” against all attacks from Spanish Forces regardless of whether the attack is against one province, city, territory, or against them all. Article III extends this requirement to attacks from any other foreign power. These articles form the security guarantee which is the basis for the formation of the union. Articles IV-VII deal with the building and repairing of fortifications, as well as the garrisoning of towns and the finances for these activities. Article IX forbids any treaty, starting of a war, or levying taxes at the union level on all the provinces unless there is unanimous consent of all provinces, and Article X prohibits any province or city from making any agreements with foreign powers. These two articles therefore effectively reserve all issues of foreign affairs to the States General. The door was open for other cities and provinces to join the confederation (Article XI) and the standards regarding the issue of currency (minting) were to be jointly established (Article XII). Articles XIII-XV dealt with matters of religion in accordance with the Pacification of Ghent as well as the return of ecclesiastical property. Article XVI requires that disputes between provinces be resolved in conjunction with the other provinces or if the issue involves all the provinces by the stadtholders. Article XVII requires the provinces to treat foreigners justly so as to not provoke or give justification for foreign powers to attack. Article XVIII likewise requires the provinces to treat the citizens of the other provinces as they do their own and to not levy tolls or duties at a higher rate than they do for their citizens, which amounts to a weak form of an

interstate commerce clause. Article XIX is the origin for the States General to meet on an almost continuous basis as a deliberative body which is different than prior to the Dutch Revolt when the convening of the States General was an exceptional occasion. Articles XXI and XXII resolve that any issues or discrepancies that may arise regarding the intent of the treaty will be interpreted by a unanimous agreement of the provinces as would be any amendments. Article XXIII is an enforcement clause calling for the arrest of those who contravene the provisions of the treaty. The remaining articles call for various officials of provinces and cities; stadtholders, magistrates, commanders etc... to swear oaths to uphold the provisions of the treaty. Two Articles contained very important provisions but were not (or extremely rarely) used. Article V contained a provision for a national level tax the proceeds of which could only be used for defense. Article VIII permits conscription of those between eighteen and thirty years old.<sup>374</sup> The Union of Utrecht clearly establishes a voluntary association of political entities that retain much of their local sovereignty but do concede some powers to a common government. On the other hand that government is supposed to be constrained in policy formation by the need for approval of all the provinces. That the United Provinces were clearly an Amalgamated Security Community is directly reflected in its origins under this treaty which was decidedly focused on issues of common defense.

This complicated system and a lack of central bureaucracy has often been criticized as being cumbersome and inefficient by most historians. However, as noted by Jan Glete it would seem to be counter-intuitive that an inefficient, cumbersome, and politically divided entity could have had the phenomenal success enjoyed by the United Provinces. It should be even more unlikely that such a small population could hold its own militarily against the great powers of its day that were many times its size that had supposedly more efficient centralized bureaucratic state administrations, much less beat them and establish itself as a great world power. The success of the United Provinces was commonly referred to as a miracle. Glete argues that the system itself rather than being inefficient was extremely efficient because

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<sup>374</sup> *Texts concerning the revolt of the Netherlands*, eds., Ernst H. Kossmann, and Albert F. Mellink (Cambridge: Cambridge University Press, 1974), 165-173. See also; "Select documents illustrating medieval and modern history" Reese Library at The University of California, available from [http://www.archive.org/stream/selectdocumentsi00reicrich/selectdocumentsi00reicrich\\_djvu.txt](http://www.archive.org/stream/selectdocumentsi00reicrich/selectdocumentsi00reicrich_djvu.txt) Internet; accessed, 10 January 2010

of the decision making process that required negotiation and unanimity. This enabled the United Provinces to have relatively high taxes but not suffer from tax revolts, provincial rebellions, or civil wars experienced by other centrally administered states, since the social and political elites had agreed on policy matters before they themselves implemented that policy in their locality. This eliminated local barriers to resource mobilization that tended to hamper centralized bureaucratic states that used coercion as the method to extract resources. In addition the business minded elites understood that each side in the negotiation needed some sort of benefit from policy decisions which reduced zero sum conflicts.<sup>375</sup>

It was the efficient aggregation of political interests that provided the strength that was the underpinning of the Dutch successes. The business of the Dutch may have been business; however, that business needed protection. It needed freedom of navigation and a secure homeland to function. The basic common interests therefore found their expression in the creation of an Amalgamated Security Community under the Union of Utrecht.

There were two methods to fund the military that was the primary focus and expense of the Generality (the States General acting for the whole of the Union). The army (and parts of defensive fortifications), were funded by quotas from the provinces based on a negotiated system that reflected each province's size and wealth; not through a centralized tax system. Holland's share for example was about 58 percent and Amsterdam paid about half of that. The provinces had different methods of raising their share of the revenue so that taxes varied among the provinces although the taxes were usually based on consumption. Often regiments were allocated to provinces for pay purposes. There was no way to force a province to pay its share and there was no central review of a province's finances.<sup>376</sup> The naval forces on the other hand were funded through the five Admiralties. The administration of the Admiralties collected convoy and license fees (customs duties), along with fees for authorization of privateering and licenses for merchants trading with the enemy. In addition to their port area each Admiralty was allotted

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<sup>375</sup> "The solution to what may look like an enigma is that the Dutch system had an advantage in the creation of trust and co-operation between various parts of the local elites. Consequently it aggregated interests faster and more firmly than in other systems." Jan Glete, *War and the State in Early Modern Europe: Spain, the Dutch Republic and Sweden as Fiscal-Military states, 1500-1600*, (New York: Routledge, 2002), 140-148.

<sup>376</sup> Haley, *The Dutch in the Seventeenth Century*, 69.

an inland territory to raise funds. With this the Admiralties (the naval administration) became the only national level fiscal authority encompassing the United Provinces.<sup>377</sup>

Although the United Provinces' common government was minimal, it was sufficient to meet the requirements for the formation of an Amalgamated Security Community. The United Provinces as an ASC was not only based on trust between the provinces but on trust between the elites as well as the commoners in the society who suffered, fought and died together in an eighty year long conflict. It was that common bond that forged a common identity among seven previously autonomous provinces.

#### **2-4. (c). Defense Cooperation**

The beginning of the Dutch Revolt was marked by military cooperation among the provinces and William of Orange acting as stadtholder of Holland, Zeeland, West Friesland, and Utrecht. In the early stages of the conflict there was involvement by elements of all seventeen provinces not just the seven Northern provinces that united under the Union of Utrecht. Naval forces in the early stages of the conflict were primarily privateers operating under Letters of Marque issued by William of Orange in his capacity as a sovereign prince. There was only limited control or even coordination between the land forces and naval forces of the revolt. The Sea Beggars primarily attacked shipping and towns with few or no defenses. Their primary contribution was to keep the local sea lanes open in the vicinity of Holland and Zeeland. In the early part of the conflict the mercenary armies of William of Orange were no match for the Spanish army in field engagements. On the other hand the local inhabitants of the towns could and did provide significant military capability when defending their towns. It was the combination of the strong defenses of the towns and the inability of the Spanish to cut off the sea lanes that allowed the forces of the revolt to survive the onslaught by the Duke of Alva.

Mercenaries certainly provided a significant part of the rebel forces. This was a necessity partly because of the size of the population which was most likely only a million and a half at the time.<sup>378</sup> It is a

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<sup>377</sup> Glete, *War and the State in Early Modern Europe*, 166.

<sup>378</sup> Ibid., 143.

mistake to view the defensive forces of the rebels as being all mercenaries. The defenses of Northern Holland in 1572 - 1573 provide an example.

“Of the 4,960 soldiers whose origin is known, 1,440 (roughly three in ten) came from North Holland north of the river IJ, compared with only 250 from the Southern Quarter and Zeeland. Most of the soldiers came from the northern provinces, with a remarkable number of Friesians (850) Apart from 700 Germans there were few foreigners.”<sup>379</sup>

The commander of Northern Holland, Sonoy, had a few mercenary companies but had to rely on local forces for a large portion of his defense. The peasants not only had to quarter troops but also had to stand watch and build fortifications and ditches. In the winter of 1572-1573, Sonoy mobilized the peasants to cut a forty two foot channel the entire length of the frozen waterways that were the main defensive barrier for North Holland to prevent the Spanish from simply walking over the ice. This involved all the men of villages for several days and was a significant effort. According to old medieval traditions the peasants could be armed and made to provide military service; this was called the *lantwere* composed of all men able to bear arms. Sonoy used this to mobilize a watch force along all the dykes and rivers bordering the entire area. All peasants were to arm themselves with either a firearm, or pike (pitchfork if very poor) and either a sword or ax and provide security for three day intervals.<sup>380</sup> The point is that while the local inhabitants were not professional soldiers they engaged in important defensive tasks. These shared tasks and hardships aided the rebels in creating a sense of unity and solidarity with other rebels that would not happen if all military related activities were carried out by foreign mercenaries.

A significant effort was expended by local inhabitants in building fortifications. The larger cities had defensive elements that had been adopted according to the style of the *trace italienne* which was a “circuit of low thick walls punctuated by quadrilateral bastions.”<sup>381</sup> This type of ‘star fort’ was developed in response to medieval bombards that quickly destroyed large masonry walls. The *trace italienne* system gave such protection against attacking forces that usually a town could only be “encircled and

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<sup>379</sup> Henk van Nierop, *Treason in the Northern Quarter: War, Terror, and the Rule of Law in the Dutch Revolt*, trans., J.C. Grayson (Princeton: Princeton University Press, 2009), 84-85.

<sup>380</sup> Ibid., 82-88.

<sup>381</sup> Geoffrey Parker, “The “Military Revolution,” 1560-1660--a Myth?” *The Journal of Modern History* 48, (1976): 203.



starved into surrender” when besieged.<sup>382</sup> In addition defensive earthen works called *sconces* were constructed at strategic locations. These consisted of breastworks enclosed on all four sides and surrounded by a moat with a drawbridge and shelters for the garrison.<sup>383</sup> It was the local inhabitants who provided the labor to construct these temporary forts. These fortifications combined with natural and man made water barriers made the Northern provinces of Holland and Zeeland almost impossible for the Spanish army to take, and it was these provinces that were the basis for the survival of the revolt.

The fluid situation that marked the military and political situation during the years of the Dutch Revolt prior to the Union of Utrecht can be seen as having fostered military cooperation among the provinces of the Netherlands. The provinces of Holland, Zeeland, and at a minimum probably Friesland and Utrecht as well had formed a pluralistic security community under William of Orange as their common stadtholder. Further cooperation among and with the other provinces was based on negotiation and their level of occupation by Spanish forces. Their cooperation and common funding of military capabilities did not approach the level required for military integration. In the early stages of the Dutch Revolt the provinces assisted each other as allies against a common foe. Military integration began with the Union of Utrecht (decision to integrate), and only became integrated in practice when Maurice of Nassau transformed the Dutch forces with a military revolution that made his army the best in Europe.

#### **2-4. (d). Integration**

The Union of Utrecht while limited did create a formal Amalgamated Security Community. One of the key items of integration was the requirement for the provinces to provide common funding of military forces for their collective defense (Article V, and VII), and even though a confederation wide tax was not used it was provided for. A specific item that received special attention in the Union of Utrecht was common funding of fortifications; most likely because of the great significance that *trace italienne* fortifications played in the conduct of the conflict as well as their cost. Article IV provides for the Generality (States General acting for the whole of the United Provinces) to provide half of the funding for

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<sup>382</sup> Ibid., 204.

<sup>383</sup> Henk van Nierop, *Treason in the Northern Quarter*, 83.

upkeep and repair of city fortifications and that for new fortifications the cost would be “borne by all the said Provinces in common.” Although the United Provinces did not use conscription, the principal that all citizens were required to provide military service (Article VIII) was included; likely as a reaffirmation of the tradition of the *lantwere* in which all able bodied males could be required to provide service.

Naval forces were integrated under control of the United Provinces in 1597 when the States General established five Admiralties (Rotterdam, Amsterdam, North Holland, Zeeland, and Friesland).

“These admiralties were federal (not provincial) organizations, representatives for the States General were members of their boards, and they were required to co-operate with each other under the leadership of the States General and the Admiral General (the stadtholder). Operational fleets were normally composed of warships from several or all admiralties, which shared the federal responsibility for sending armed forces to sea.”<sup>384</sup>

The other aspect of the admiralties as federal institutions is the already mentioned fact that the admiralties were the only national level fiscal authority encompassing the United Provinces. An objection might be raised that having five different admiralties demonstrates a certain amount of disunity and acquiescence to local desires to have their own organization. The flaw with this argument is that having the five different admiralties was actually more efficient than having only one center of naval administration in an era when coordination was best done face to face. The naval forces of the United Provinces focused on protection of commercial trade; usually done by convoy. The commercial trade fleet was dispersed among multiple ports, and in an era with limited communications it was more efficient to have a flattened organization that responded directly to the needs of the local commercial fleet to coordinate convoys. Therefore having regionally based centers of naval administration was more efficient at protecting the sea lanes with minimal hindrance when larger taskforces needed to be created for purely military tasks. Having five admiralties did hamper naval standardization which had a negative impact on the Dutch Navy in the first Anglo-Dutch war (1652). There is no question however, that it was a federal force and it was the States

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<sup>384</sup> Glete, *War and the State in Early Modern Europe*, 165. “The individual admiralties were responsible for dockyards, magazines, shipbuilding, maintenance of the state’s warships, buying of naval stores, hiring of armed merchantmen and the employment of flag officers and captains, who in their turn were responsible for the manning and provisioning of the warships. In 1626, a permanent corps of captains was established, decades earlier than in a similar corps was established in England.” Ibid., 166.

General (led by De Witt) that appointed De Ruyter as Lieutenant-Admiral of the Navy that standardized and rebuilt the fleet.<sup>385</sup>

A significant body of work has as its focus the military reforms implemented by Maurice of Nassau that have been called a “military revolution.” This military revolution was first described by the historian Michael Roberts in 1955. Roberts proposed that the changes in tactics from 1560 -1660 led to revolutionary changes in logistics and organization to the point of creating a standing army; and the first person to enact these reforms was Maurice of Nassau.<sup>386</sup> The first reform was fiscal and that was to reduce the overall size of the army to a level that could be adequately paid year round. A smaller number of well paid troops were less of a danger to the country as well as more effective militarily. According to M.D. Feld this led to a professional disciplined force that reflected the ‘middle-class’ society that created it. This shifted the foundation of war from an enterprise that supposedly would pay for itself by plunder and ransom, to one in which a defensive army could be employed to protect the United Provinces without danger to the economy or inhabitants they were protecting. This fundamentally changed the nature of discipline and loyalty in the army because they were providing work for pay, not the possibility of glory or booty as gentlemen adventurers. “Regular pay destroyed the aristocratic ethos. A salaried worker was not a gentleman.”<sup>387</sup> Discipline could be enforced uniformly over an extended period of time because unlike mercenaries hired for a campaign, permanent salaried soldiers were always accountable to their employer. This led to the ability to enact other reforms since the intervals between battles could be used to improve skills and adapt organizations.<sup>388</sup> One of the key reforms that this enabled was that soldiers were made accustomed to use of spades to dig trenches and field fortifications in siege operations, something ‘beneath’ mercenary soldiers which then required peasants to be found to do the work. Maurice had soldiers construct assault trenches so they would be able to approach the walls of a town for an attack without taking casualties. It was with the spade that Maurice of Nassau gained fame as an

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<sup>385</sup> Vlekke, *Evolution of the Dutch Nation*, 230-232.

<sup>386</sup> Parker, “The “Military Revolution,” 1560-1660--a Myth?,” 196.

<sup>387</sup> M.D. Feld, “Middle-Class Society and the Rise of Military Professionalism: The Dutch Army 1589-1609,” *Armed Forces and Society* 1, no. 4. (1975): 422-423.

<sup>388</sup> *Ibid.*

expert in siege warfare.<sup>389</sup> He even helped compose books on siege warfare and had a position created at the University of Leiden for surveying and fortification to help Dutch defenses.<sup>390</sup> Maurice made artillery a primary arm and focused on siege guns and heavy mortars which were key tools in siege warfare.<sup>391</sup>

Maurice and his cousin William-Louis of Nassau, stadtholder of Friesland, had been students at the University of Leiden where they had been exposed to the writing of classical authors by Professor Justus Lipsius. Maurice of Nassau had become interested in the ideas of unit formations, close order marching, and fighting in the manner of the ancient Roman army. From his study of Roman authors William-Louis of Nassau developed the concept of a 'countermarch' to greatly increase the firepower of his units. The countermarch is where the front line of a formation fires and then marches to the rear to reload while the next line advances, fires, and marches to the rear in a rotation so that the countermarch produces an almost continuous fire on an enemy force.<sup>392</sup> This continuous volley fire required intense training and discipline to master (since a soldier marching to the rear might be inclined to continue in that direction) and so Maurice instituted standardized drill that became the 'occupation' of the soldiers when not in battle. Furthermore, weapons handling required intensive training. To facilitate that training Count Johan of Nassau (younger brother of William-Louis) commissioned a drill book to be used as an instruction manual for the army. This was one of the earliest illustrated drill books and was called the "Wapenhandelinge van roers, musquetten ende spiessen (Arms drill with arquebus, musket and pike) (Amsterdam, 1607)."<sup>393</sup> It is a systematic representation of the steps necessary to use the pike, arquebus, and musket. More importantly it portrays each step in a numbered logical sequence with an associated verbal command that forms a complete cycle of loading, aiming, firing, back to reloading. Soldiers

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<sup>389</sup> William H. McNeill, *The Pursuit of Power: Technology, Armed Force, and Society since A.D. 1000*, (Chicago: University of Chicago Press, 1982), 128.

<sup>390</sup> Christopher Duffy, *Siege Warfare: The Fortress in the Early Modern World, 1494-1660*, (London: Routledge, 1979), 81.

<sup>391</sup> Blok, *History of the People of the Netherlands: Part III The War with Spain*, 252-253.

<sup>392</sup> Geoffrey Parker, "The Limits to Revolutions in Military Affairs: Maurice of Nassau, the Battle of Nieuwpoort (1600)," *The Journal of Military History* 71, no. 2 (2007): 338-344.

<sup>393</sup> Parker, "The "Military Revolution," 1560-1660--a Myth?" 202.

trained in these techniques became parts in an overall system that improved unit command and control.<sup>394</sup> With the increased control provided by verbal drill commands, Maurice reduced company formations to about 135 men, thirteen officers and NCO's, 45 pikemen, 44 arquebus, and 30 muskets which gave the Dutch an significant firepower advantage.<sup>395</sup> The combination of close order marching drill, weapons handling drill, and the countermarch transformed the army of Maurice of Nassau. It vastly increased the firepower of the army and was proven to be successful in the battle of Nieuwpoort.<sup>396</sup> The permanence of the force was demonstrated when, during the Twelve Years Truce, the officers, NCOs, and half the soldiers in each company were retained so as to quickly rebuild the army with the perishable expertise that was maintained.<sup>397</sup>

The effect of the reforms also reduced the cost of infantry units since infantry could be trained quickly and uniformly. Creating an effective force of archers and pikemen was a long term process, but teaching the use of a firearm only took a few weeks and with the Wapenhandelinge there was a method for quality control. "The number of military variables was reduced to the availability of manpower and the availability of weapons" rather than the long period needed to create an effective Spanish *tercio*.<sup>398</sup> Maurice of Nassau also standardized the weapons manufactured for the Dutch army.

"Maurice took steps to standardize the weapons used by the entire Dutch army. After extensive testing, he determined upon a single 'model' for muskets and another for harquebuses, and distributed five examples of each to arms producers in Holland, with orders that all the weapons they produced in the future must be made to the same design and must fire a bullet of standard caliber. To implement this program, the Dutch Republic spent far more on weapons in 1599 than in any other year between 1586 and 1621."<sup>399</sup>

This illustrates the integration of the Dutch arms market and its responsiveness to the demands of the Dutch military. The Dutch could quickly generate military capability because of the large arms industry in the United Provinces.

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<sup>394</sup> Feld, "Middle-Class Society and the Rise of Military Professionalism: The Dutch Army 1589-1609," 424.

<sup>395</sup> Ibid., 246.

<sup>396</sup> Parker, "The Limits to Revolutions in Military Affairs: Maurice of Nassau, the Battle of Nieuwpoort (1600)," 331-372.

<sup>397</sup> Glete, *War and the State in Early Modern Europe*, 161.

<sup>398</sup> Feld, "Middle-Class Society and the Rise of Military Professionalism: The Dutch Army 1589-1609," 427.

<sup>399</sup> Parker, "The Limits to Revolutions in Military Affairs: Maurice of Nassau, the Battle of Nieuwpoort (1600)," 346-347.

The reforms of Maurice of Nassau made him and his army famous. It made the Dutch army a school for a generation of European leaders. Young leaders came to the Dutch army to learn from around Europe. “Gustavus Adolphus, Turenne, and Frederick William of Prussia were directly or indirectly educated in the Dutch Army,” while serving in the Dutch army became a part of the education of the European gentry.<sup>400</sup> Count Johan of Nassau established a military academy in 1616 to teach the Dutch army system; the instruction took six months. The Dutch army also dispatched drill instructors to other countries and the arms industry did a brisk business equipping foreign armies.<sup>401</sup>

The reforms implemented in the Dutch army also had an impact on society. In other armies command was often difficult because of considerations of an officers’ social status. The Dutch officer’s role on the other hand depended less on social standing than on what he knew; he was a technocrat and this facilitated a rational command structure. “It was the first national army without a corresponding social base”<sup>402</sup> Officer commissions were available to commoners as well as to the nobility and were not for sale, but rather depended on knowledge and competence. Feld argues that it was the first modern instance of a military culture and furthermore, the earliest industrial revolution.<sup>403</sup> Maurice of Nassau replaced command based on social relationships to one based on a system of standardized rules and universal discipline that applied to all soldiers which determined their place within the army. The idea of universal law applicable to all individuals regardless of social standing eventually provided the basis for modern society.

Recruitment of soldiers during this era tended to be done through military entrepreneurs; colonels who “owned” and administered their regiment and hired it out to the highest bidder. The United provinces on the other hand made the officers of the army servants of the state. This was done because the provinces had the right to nominate the company commander for the units it paid for; although the Captain-General usually made the final choice. This made the commanders beholding to the chain of

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<sup>400</sup> Feld, “Middle-Class Society and the Rise of Military Professionalism: The Dutch Army 1589-1609,” 429.

<sup>401</sup> Parker, “The Limits to Revolutions in Military Affairs: Maurice of Nassau, the Battle of Nieuwpoort (1600),” 364.

<sup>402</sup> Feld, “Middle-Class Society and the Rise of Military Professionalism: The Dutch Army 1589-1609,” 433.

<sup>403</sup> Ibid., 434.

command and not able to “switch” employer. Although the Company Commanders were given a fixed amount of money to pay for the costs of the company, they were not mercenary units but rather contracted, and these were often long serving units after the reforms of Maurice which necessitated a professional force.<sup>404</sup> Although there was no large bureaucracy to administer the army, almost all administrative functions; recruitment, pay, discipline, housing, transportation, and medical care occurred at the company and regimental level.<sup>405</sup>

There is still an issue regarding mercenaries in this case. An army of mercenaries that did all of the fighting for the people would not seem to fit the proposed model in which military integration in an Amalgamated Security Community leads to formation of an identity based on shared struggle as ‘brothers in arms’. It is true that mercenary armies fought for William of Orange in 1568 and 1572; however, it was the militia forces and peasants that had to defend their towns from the Spanish Army after those mercenaries failed and were disbanded. The various defenses of towns against sieges in which the town’s people suffered greatly must be included as part of the common military struggle even though the local militia was not part of the national army. There is a further twist on mercenaries in the context of the United Provinces.

“Parts of its infantry were recruited from Germany, England, Scotland, and France as regiments organized by military entrepreneurs, and with their native languages as command languages. These foreign regiments became long-serving, and a permanent part of the Dutch army under the command of officers who often became closely related to the republic by career opportunities and marriage. When the republic went to war with England-Scotland in 1665, the English and Scottish regiments were transformed into national units. Many of their soldiers were actually already Dutch or German. The French regiments became national units after the French attack on the Dutch Republic in 1672.” “However, a large and soon dominant part of the army was organized and recruited in the Netherlands in companies administered by the provinces and the States General and commanded by native Dutch or at least Dutch-speaking officers. The national identity of the soldiers is little known, but traditional assumptions that most of them were foreign mercenaries are doubtful. The Netherlands was a part of Europe that attracted large number of immigrants to its labor market, and the armed forces were an important part of this market. Foreigners recruited for long term service in the Dutch army may often have settled in the country. This makes them different in character from normal mercenary forces, which were formed by officers and men who were ready to serve any ruler.”<sup>406</sup>

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<sup>404</sup> Glete, *War and the State in Early Modern Europe*, 158.

<sup>405</sup> Ibid.

<sup>406</sup> Glete, *War and the State in Early Modern Europe*, 157-158.

Mercenaries in the Dutch case come in two varieties. There were short term soldiers for hire who owed no loyalty other than pay to their employers. These were the unreliable elements that the reforms of Maurice aimed to get rid of first by ensuring regular pay and second by keeping troops in the army for extended careers. The other type of mercenary was a foreigner who became a soldier employed by the United Provinces who then made the Dutch army his career and home.

“...the Dutch armies did in fact contain a considerable proportion of Walloons, Frenchmen, Germans, English, and Scots - the ‘Macs’ who made a permanent career in the Dutch service, and the names of whose successors, we are told, are still to be found in Dutch telephone directories.”<sup>407</sup>

These second type of soldiers do not impact the proposed model of this study. In fact there are many armies today (including the U.S. Army) that employ foreign soldiers who regularly become citizens during their term of service.

One final issue must be noted. Although the Princes of Orange and other family members of the House of Nassau were stadtholders, Captain-General of the Army or Admiral-General of the navy, they were not the ultimate military authority. The ultimate military authority was the States General. Maurice undertook the campaign that led to the battle of Nieuwpoort under the guidance of the States General.<sup>408</sup> None of the Princes of Orange or other stadtholders claimed sovereignty; they acted as agents of the United Provinces. In this regard the Dutch Revolt provides an early example of civilian control of the military. Furthermore, this control manifested itself in a policy that emphasized defense not expansion beyond the territory of the Netherlands. This policy had a direct impact on campaigns and arguably on the development of a professional army.

The case of the United Provinces also helps to clearly illustrate what makes a strong Amalgamated Security. The importance of the outcome of the dispute between Maurice of Nassau and his former mentor Oldenbarnevelt goes beyond the provinces having to yield to the central authority of the States General and Captain General thus establishing the principle that only the central authorities

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<sup>407</sup> Haley, *The Dutch in the Seventeenth Century*, 10.

<sup>408</sup> Parker, “The Limits to Revolutions in Military Affairs: Maurice of Nassau, the Battle of Nieuwpoort (1600),” 331



were able to raise troops and create military capabilities. It established the United Provinces, often seen as having a disunited decentralized political system, as a strong Amalgamated Security Community. A strong Amalgamated Security Community is one where the central government has the capacity and authority to generate military capability; almost to the complete exclusion of any sub-state element being able to create military capabilities or possessing the capacity to create military capabilities.

#### **2-4. (e). Measuring Independent Variable – The degree of integration of military capabilities and the capacity to produce military capability**

The independent variable in this study is the degree of integration of military capabilities and the capacity to produce military capability. Below is the measurement of the independent variable by category in the case of the Dutch Revolt based on the evidence that has been presented.

##### **Category 1 - Military forces; consisting of administrative staffs and operational forces.**

The military forces of the United Provinces were integrated although it took some time to achieve functional integration under Maurice of Nassau and the creation of the Admiralties for the naval forces. The issue of integration was firmly settled in 1618 with the demise of Oldenbarnevelt. Administration in this case is a bit trickier since it was handled by the company or regiment but those functions were done with funds paid to the unit. Therefore, what was integrated was funding for the military. Funding for the navy was completely federal. Funding for fortifications was either in part (for cities) or in whole (for new forts) paid for by the States General. On the other hand provinces paid for various units which would seem to indicate a lack of integration. The integration in this regard was that the provinces paid for units that it had agreed to in negotiation with the other provinces in the States General. It was not a voluntary raising of troops but simply a method to disburse the funds that the States General had decided to allocate for the army. In this category there were integrated combat forces and some integrated administrative functions such as finance. This equals a medium level of integration and is scored as a 3.

##### **Category 2. Arms production and Technology as a factor in arms production.**

The Dutch were innovators in shipbuilding and led in ship production. They built fleets for other states and even rented their own navy on occasion. Although the different admiralties created non standard

fleets prior to the first Anglo-Dutch war they were reorganized and standardized by the second conflict. The Dutch arms industry likewise was open and sold weapons to many foreign states. There was no withholding of technology, the armament industry was integrated and showed itself to be so when Maurice standardized the weapons for his reformed army. Complete sharing in production in this case is a high level of integration and will be scored as a 4.

**Category 3.** Military technology as a factor in operational (combat) forces.

The military reforms of Maurice of Nassau, including the standardization of weapons, means that integration in this category is high and is scored as a 4.

**Category 4.** Creation of combat power; Doctrine, Training, Leader Development, Organization, Materiel, and Soldiers. (DTLOMS)

Again the reforms of Maurice of Nassau weigh heavily on this category. Considering that he created a new doctrine emphasizing drill, firepower, siege-craft, and a long term professional army, the integration of doctrine must be viewed as complete. Training, especially the extensive use of repetitive drill along with the Wapenhandelinge was clearly integrated. Moreover, the establishment of a military academy, along with educating much of the Western European gentry meant that leader development was taken seriously and was also highly integrated. In fact the seconding of drill instructors to other armies and the training of foreign officers was so extensive that to an extent a number of foreign armies were “integrated” with the Dutch army in terms of doctrine, training, and leader development as well as organization. Maurice reorganized the infantry company and made artillery and engineers critical branches of his army as well, so that the category of organization is also integrated. Materiel integration in the army occurred with Maurice’s reforms. Naval forces were materially standardized later. It is in the area of soldiers that there was not much integration. Methods of recruitment, pay, medical care, and discipline were usually handled by the unit. The only integration in this area is integration in terms of discipline (the standard rules for military justice established by Maurice) which places this at a very low integration level. The average score of the different factors equals 3.5 which is a high level of integration.

**Category 5.** Use and sustainment of military forces; Command and Control (C2) Communications, Logistics.

After 1618 and the demise of Oldenbarnevelt there was no question of the central command and control of the forces of the United Provinces. The various Princes of Orange acting as stadtholder and Captain-General, or the general appointed by the States General was the undisputed head of the army. This was likewise for the office of Admiral-General of the naval forces. The supreme role of the States General was continually reinforced by issuing guidance to the military commanders. Communications were rudimentary and command was often face to face on the battlefield. Coordination of campaigns on the other hand often included many meetings conducted by delegations of the States General to provide input to the military commanders as well as written correspondence. So although limited, communications were integrated. Logistics, on the other hand was only minimally integrated. Water transportation was arranged at a central level, but commanders usually would purchase their expendable supplies (e.g. food) locally. The admiralties also used the local market to purchase their supplies. Logistics must be considered to be at a very low level of integration if at all. The rating for this category can only be rated as being at a medium level and scored as a 3.

**Category 6.** Budget issues regarding public goods and burdensharing.

It is in this category that the negotiated consensus system of funding for the military under the Dutch system stands out. As previously noted the highly efficient nature of resource mobilization through negotiation rather than coercion that characterized the Dutch system means that this category is completely integrated. The Estates General agreed on what was to be funded and who was to provide what amount of funding and to what units those funds were to be spent on. This category is therefore scored as a 4.

When all of the scores of the categories of the independent variable are taken together (Category 1=3, Category 2=4, Category 3=4, Category 4=3.5, Category 5=3, Category 6=4) the result is an average score of 3.6 which indicates a high level of military integration overall in this case of the founding of the Dutch Republic.

### **Chapter 3. Cases of Weak or Partially Integrated Amalgamated Security Communities:**

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#### **3-1. Introduction.**

A weak or partially integrated Amalgamated Security Community is one in which the central government does not have the preponderance of capacity and authority to generate military capability. The authority of the central government does not exclude any sub-state element from being able to create military capabilities or possessing the capacity to create military capabilities. Having more than one authority with jurisdiction over the creation of military capabilities and the capacity to produce military capability within an Amalgamated Security Community is what defines it as partially integrated. A weak

or partially integrated Amalgamated Security Community will be at a fairly low level of military integration.

In *Political Community and the North Atlantic Area*, Deutsch found that Amalgamated Security Communities were significantly more prone to disintegration or failure than Pluralistic Security Communities, and that disintegration tended to be quite violent in a number of cases. He also found Pluralistic Security Communities to be easier to attain and easier to preserve than Amalgamated Security Communities.<sup>409</sup> Partially integrated Amalgamated Security Communities demonstrate the instability that Deutsch found to be inherent in Amalgamated Security Communities. This paper posits that such instability is the product of imperfectly integrated military forces and in particular the result of multiple jurisdictions having the capacity to create military capabilities. Partial integration preserves partial sovereignty as well as providing a subordinate military identity for sub-state political entities. This provides multiple definitions for what constitutes a “brother-in-arms” and directly impacts the formation of an “us vs. other” identity. This in turn allows a policy choice for sub-state political entities that have access to the means of organized coercion to choose “a continuation of politics by other means” (i.e. armed conflict) to achieve their objectives. The opposite side of this argument provides an explanation for the difficulty to attain or create an Amalgamated Security Community. An Amalgamated Security Community requires a much closer bond be established than in a Pluralistic Security Community. This is because even for a partially integrated ASC the sub-state political entities must give up some sovereignty as well as agree to the creation of at least some type of super-ordinate national military force that creates and carries an aspect of national identity and gives new choices and meaning to what it means to be a “brother-in-arms.” In order to progress to being a strong ASC almost the entire meaning of what it means to be a “brother in arms” must be transferred to the super-ordinate national military force as the sub-state jurisdiction over the creation of military capabilities is eliminated. This process is difficult and in many cases marred by civil war. The cases below illustrate a progression from Pluralistic Security Community, to weak partially integrated Amalgamated Security Community, and then to a strong Amalgamated

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<sup>409</sup> Deutsch, *Political Community and the North Atlantic Area*, 29-31.

Security Community. This is done by examining the U.S. as three distinct cases over time; American Revolution to Ratification of the Articles of Confederation (1775-1781), Articles of Confederation (1781-1789), Constitution to Civil War (1789- 1861), and then an examination of the process of military integration from the Civil War to 1916 and impact of that on issues of identity. Two additional examples are provided to highlight that the U.S. is not a singular instance of this process.

### **3-2 a. Selected History of American Revolution to Ratification of the Articles of Confederation (1775-1781).**

The American Revolution began long before the Declaration of Independence in 1776. The First Continental Congress, in September - October 1774 created a “non-importation, non-consumption, and non-exportation agreement” (called the Continental Association) against Britain.<sup>410</sup> The Association as it was known created an enforcement mechanism whereby a citizen’s “committee be chosen in every county, city, and town” to enforce the boycott as well as the committees of correspondences being responsible to inspect the various customs houses.<sup>411</sup> Because of the unrest in the American colonies the importation of arms and ammunition from England was banned, but Congress made note of the fact that there were enough gun makers in the colonies to make an estimated one hundred thousand guns as well as several gun powder manufacturers (mostly in New York).<sup>412</sup> There was a considerable colonial military tradition, mostly independent of that in Britain, of producing combat forces their own defense that was the basis for armed resistance to the British. After the Boston Massacre local leaders in Massachusetts advocated “serious militia reforms to create a force capable of offering opposition to the British Army if it returned in strength” while other colonists organized voluntary military companies for extra training. Following the Coercive Acts, as British troops returned to Boston, the colonists stepped up their military preparations, removing militia officers loyal to Britain, and increasing the pace of militia training. Massachusetts’ Provincial Congress reorganized one-quarter of the colony's militia into "minute

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<sup>410</sup> Yale Law School, Avalon Project; Documents in Law, History, and Diplomacy. *Declaration and Resolves of the First Continental Congress, October 14, 1774.* available from [http://avalon.law.yale.edu/18th\\_century/resolves.asp](http://avalon.law.yale.edu/18th_century/resolves.asp) Internet; accessed 13 February 2010

<sup>411</sup> The Independence Hall Association, *Articles of Association, 1774* available from <http://www.ushistory.org/declaration/related/assoc74.htm> Internet; accessed 13 February 2010

<sup>412</sup> “How America has Procured Munitions, Since 1774.” *Congressional Digest* 13, no. 11 (1934): 259-288.

companies", (i.e. minutemen) who conducted extra training to be ready quickly in an emergency. While the First Continental Congress was meeting, various leaders already were proposing forming a combined colonial army that could be used if hostilities erupted, but the proposal was rejected.<sup>413</sup> Within each colony, however, war materials were gathered and the militia was put on a high level of readiness. "Imports of arms and powder grew by October 1774 to such a degree that British officials became alarmed. Individual colonial governments began to move existing supplies beyond the reach of British seizure and to encourage domestic manufacturers. Massachusetts took the lead in collecting munitions, as it did in reforming the militia."<sup>414</sup> It was to capture or destroy some of these military supplies that prompted the British to move on Concord on 19 April, 1775, sparking open hostilities.

Following Lexington and Concord, Massachusetts formed an army out of the thousands of men surrounding Boston. They adopted a plan for a New England army of 30,000 men; (13,600 from Massachusetts) under the command of Major General Artemas Ward. By June 1775 the Provincial Congress approved a Massachusetts army of twenty-three infantry regiments and one artillery regiment.<sup>415</sup> On 20 May the New Hampshire Provincial Congress authorized a 2,000 man force for the New England army and with Nathaniel Folsom as commanding general. On 25 April the Rhode Island Assembly authorized a 1,500 man force organized as a brigade with its own company of artillery under Brig. Gen. Nathanael Greene. On 27 April the Connecticut Assembly authorized a 6,000 man force of eight regiments with David Wooster as commanding general.<sup>416</sup> By June 1775 these three additional distinct armies from adjoining colonies joined the Massachusetts army at Boston to form a New England Army. It was this regional amalgamated force that prepared the way for the creation of the Continental Army. It was this force that fought the British at the battle of Bunker (Breed's) Hill. Although a "rage militaire" or passion for all things military gripped the colonies enabling the mobilization of manpower to start the

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<sup>413</sup> Robert Wright, *The Continental Army*, Department of the Army, Center of Military History, Army Lineage Series, United States Army, (Washington, D. C.: U.S. Government Printing Office, 1983), 11-12.

<sup>414</sup> Ibid.

<sup>415</sup> Ibid., 14-15.

<sup>416</sup> Ibid., 14-19.

revolution, this patriotic “spirit of ‘76” quickly faded and recruiting became a challenge for the remainder of the war.<sup>417</sup>

On 10 May, New Hampshire “Green Mountain Boys” led by Ethan Allen and Benedict Arnold captured Ft. Ticonderoga, New York, which controlled a key North / South waterway preventing British movement out of Canada as well as providing siege cannon for the forces surrounding Boston.<sup>418</sup> On 15 May the Continental Congress appointed a committee to develop the means to procure arms, ammunition and military supplies for the colonies.<sup>419</sup> The critical act came on 14 June when Congress decided to create the Continental Army by recruiting ten companies of riflemen and accepting responsibility for the New England Army at Boston as well as the forces planned for the defense New York.<sup>420</sup> On 15 June 1775 Congress selected George Washington as the Commander and he assumed command on 3 July. Congress next authorized a preemptive invasion of Canada but after capturing Montreal the invasion forces were defeated at Quebec on 31 December with the remaining troops retreating back to Ticonderoga.<sup>421</sup> In October of 1775 Congress established a Marine Committee in charge of naval affairs and authorized the fitting out of armed vessels.<sup>422</sup> In November Congress authorized a Marine Corps of two battalions, as well as authorizing the capture and confiscation of all British “ships of war, frigates, sloops, cutters, and armed vessels” along with any ship transporting supplies for British forces.<sup>423</sup> By the fall and winter of 1775 fighting spread to the southern colonies as patriot forces clashed with loyalist forces. The Prohibitory Act in December of 1775 was in effect a declaration of war by the Parliament on

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<sup>417</sup> Charles Royster, *A Revolutionary People at War: The Continental Army and American Character, 1775-1783*, (Chapel Hill, North Carolina: University of North Carolina Press, 1979), 25.

<sup>418</sup> Richard M. Ketchum et al., eds., *The American Heritage Book of the American Revolution*, (New York: American Heritage Publishing Co., Inc., 1958) 116-117.

<sup>419</sup> “How America has Procured Munitions, Since 1774.” *Congressional Digest* 13, no. 11 (1934): 259-288.

<sup>420</sup> *Ibid.*, 24-26.

<sup>421</sup> Ketchum et al., eds., *The American Heritage Book of the American Revolution*, 122-126.

<sup>422</sup> Department of the Navy, Naval Historical Center, “Congress and the Continental Navy, 1775-1783: Chronology and Documents.”; available from <http://www.history.navy.mil/wars/revwar/chron.htm> Internet; accessed 13 February 2010

<sup>423</sup> Department of the Navy, Naval Historical Center, *Resolution of the Continental Congress, 25 November 1775*. “Congress and the Continental Navy, 1775-1783: Chronology and Documents.”; available from <http://www.history.navy.mil/wars/revwar/chron.htm> Internet; accessed 13 February 2010



the colonies.<sup>424</sup> The Cannon from Ft. Ticonderoga on Dorchester Heights overlooking Boston forced a British evacuation on 17 March giving Washington and the Continental Army an important victory, and in the South the British failed to take Charleston in June 1776.

The detail to this point is to highlight that numerous engagements (including an invasion of Canada), significant military preparations (creation of combat capability and capacity to produce military capability) by the states, and political actions took place prior to the Declaration of Independence on 4 July 1776. The course of the war is well known so it is only necessary from here to highlight the most significant events up to the adoption of the Articles of Confederation.

The most important victory was the defeat of British General John Burgoyne's army that invaded from Canada through the Lake Champlain valley 1777. It was the victory at the Battles of Saratoga fought on 19 September and 7 October which persuaded the French that the British could be defeated and to openly support the American Colonies as an ally (along with Spain a year later).<sup>425</sup> On 6 February, 1778, the French and United States signed both a Treaty of Amity and Commerce, and a Treaty of Alliance.<sup>426</sup> The French and Spanish had been supplying clandestine aid to the American Colonies but by July 1778, France was openly at war with Britain. Foreign material support was critical in sustaining the conflict.<sup>427</sup> With the intervention of France and then Spain in 1779 (and eventually the Dutch) the conflict became global in scope with naval conflicts in the Caribbean and Mediterranean which prevented the British from applying all of their available military power against the United States.<sup>428</sup> Cornwallis was

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<sup>424</sup> Richard Brown, ed., "Britain Declares Commercial War on the Colonies: The American Prohibitory Act" in *Major Problems in the Era of the American Revolution 1760-1792*, (Lexington, Mass.: D.C. Heath and Company, 1992), 148.

<sup>425</sup> Richard Brown, ed., "American Diplomats Report Success. 1777" in *Major Problems in the Era of the American Revolution 1760-1792*, (Lexington, Mass.: D.C. Heath and Company, 1992), 202. See Also; Ben Baack, "Forging a Nation State: The Continental Congress and the Financing of the War of American Independence," *The Economic History Review*, n.s., 54, no. 4 (2001): 639-656.

<sup>426</sup> Richard Brown, ed., "The Treaties of Alliance with France" in *Major Problems in the Era of the American Revolution 1760-1792*, (Lexington, Mass.: D.C. Heath and Company, 1992), 203-207.

<sup>427</sup> "The French and, to a lesser extent, the Spanish governments furnished clandestine aid to the American colonies through the firm of Hortalez and Company in the hope of weakening Great Britain. Indirectly at first and more openly later, the French shipped to America over 200 artillery pieces and over 100,000 model-1763 Charleville muskets, as well as other supplies. The first shipment arrived at Portsmouth, New Hampshire, in April 1777." Wright, *The Continental Army*, 105.

<sup>428</sup> Ketchum et al., eds., *The American Heritage Book of the American Revolution*, 274-283.

trapped by a combined American and French army led by Washington and Rochambeau as well as French navy led by Admiral De Grasse and forced to surrender 19 October 1781. Prior to this the Articles of Confederation were finally ratified in March 1781. It was under the Articles of Confederation that the United States signed the Treaty of Paris ending the war in September 1783 formally recognizing the thirteen colonies as independent states.

### 3-2 b. The Government

During the American Revolution until the ratification of the Articles of Confederation in 1781, there was no central government to speak of but rather an assembly of representatives of independent states that worked to coordinate their efforts against a common enemy. The status of what might commonly be viewed as a government is crystal clear in the text of the Declaration of Independence in which the *representatives* of those states assembled together declare in the *plural* that they should be free and independent *states*, not a newly independent unified state or singular entity.<sup>429</sup>

The Continental Congress was a coordination body not a government. Structurally it had no power to make policy except by consensus or compel any colony to do anything.

“Congress's administrative structure reflected the fact that it was an assembly of ambassadors representing the interests and attitudes of their separate states. Given the ambassadorial role of the members of Congress, it is not surprising that the delegates tended to hold final decision-making authority on the floor, where each state cast a single vote.”<sup>430</sup>

Congress however, did appear to take the role of a national government. It adopted the New England army as the Continental army, appointed generals including George Washington as commander-in-chief and took measures to acquire weapons and gunpowder.<sup>431</sup> All of these measures were taken prior to the Declaration of Independence and more importantly involved the obligation for expenditures by Congress.

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<sup>429</sup> Declaration of Independence. See Also; Yale Law School, Avalon Project; Documents in Law, History, and Diplomacy. *Confederate States of America - Declaration of the Immediate Causes Which Induce and Justify the Secession of South Carolina from the Federal Union*; available from [http://avalon.law.yale.edu/19th\\_century/csa\\_scarsec.asp](http://avalon.law.yale.edu/19th_century/csa_scarsec.asp) Internet; accessed 23 April 2010.

<sup>430</sup> Calvin C Jillson and Rick K. Wilson, “A Social Choice Model of Politics: Insights into the Demise of the U. S. Continental Congress,” *Legislative Studies Quarterly* 12, no. 1 (1987): 9-10. (underline by this author).

<sup>431</sup> In November 1775 it contracted for the importation of 400 tons of lead, 20,000 muskets, one million flints, 1,500 boxes of tin and wire, and 500 sheets of copper; and it appointed another committee in January 1776 to obtain artillery which contracted for 250 twelve pounder, 60 nine pounder and 62 four pounder cannons. “How America has Procured Munitions, Since 1774.” *Congressional Digest* 13, no. 11 (1934): 259-288

Congress took these financial obligations however, without having any independent source of revenue. The states had agreed to “voluntarily” contribute funds to Congress for the war. This arrangement set up a structural free-rider problem in which the states would benefit from the public good of protection from the British but had no incentive to contribute unless the British army was close at hand.<sup>432</sup> From 1775 through 1777 the states did not make any financial contributions to Congress.<sup>433</sup> There was no dominant state as in the Dutch case to provide an administrative and financial base for the American states as a whole; rather there were multiple strong states which added to the collective action problem. Considering that part of the cause for the hostilities was due to taxes the states were not about to give Congress that authority nor was there any administrative capacity to collect any tax. Without tax revenue, loans from commercial sources were not possible either (as the Dutch had been able to finance their conflicts). The only option was to print paper money.<sup>434</sup> Congress began printing money in June 1775 but each state printed money also.<sup>435</sup> The value of the dollar issued by Congress declined over 70 per cent in 1777. Congress stopped issuing paper money in 1779 but tried other methods to generate revenue such as issuing interest bearing loan certificates. The problem was that the certificates were used in addition to the paper money, and since they were being cashed in the Congress was actually losing money paying interest which it had to halt in 1782.<sup>436</sup> Congress passed resolutions asking the states to stop issuing their own paper money and recall what had been issued. It was in effect an attempt to create a national monetary union but that failed also. Congress had no power to stop counterfeiting of the Continental dollar and had to ask the states to prosecute counterfeiters.<sup>437</sup> In late November 1777 Congress decided to raise revenue by authorizing the confiscation and sale of the property belonging to people who remained loyal to Britain; but this was to be carried out by the states. In December it authorized the confiscation of

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<sup>432</sup> Baack, “Forging a Nation State: The Continental Congress and the Financing of the War of American Independence,” 639-656.

<sup>433</sup> Ibid., 645.

<sup>434</sup> Richard Morris, *The Forging of the Union 1781-1789*, (New York: Harper & Row, 1987), 34-37.

<sup>435</sup> Baack, “Forging a Nation State: The Continental Congress and the Financing of the War of American Independence,” 639-656.

<sup>436</sup> Albert Bolles, *The Financial History of the United States from 1774 to 1789*. 3d ed., (New York: D Appleton & Company, 1892), 259-262.

<sup>437</sup> Baack, “Forging a Nation State: The Continental Congress and the Financing of the War of American Independence,” 639-656.

private property by the Continental army to keep it from disintegrating (this was the winter of Valley Forge 1777–1778). This was a resort to the age old form of war paying for itself through looting; although the Continental army was to issue certificates of indebtedness to be redeemed later. In November 1777 Congress tried to implement a voluntary tax arrangement with the states by requisitioning revenue proportional with the value of land taxed by each state. Congress tried to reduce the free rider problem by publicly making known what each state owed. After the British victories in the south, Congress made two additional requisitions in August and November of 1780 to be paid in real goods and coined money but there is no record that these were ever paid.<sup>438</sup> The only real revenue source was in the form of grants and loans from France and Spain that dramatically increased once France and Spain openly went to war against Britain as American Allies. It was money from the Spanish and French that to a large extent funded the revolution, not the efforts of Congress.

Congress also completely failed in its management of the war effort itself. In June 1776 Congress established a Board of War and Ordnance. It was supposed to be the executive agent of Congress for military affairs and consisted of five members of Congress as well as a secretary and clerks. Its duties included the supervision of raising and equipping units, accounting for arms and ammunition, maintaining personnel records and storage of equipment, disbursing funds, and dispatching correspondence as directed by Congress. Board was incapable of functioning. The members had other duties and none had any military background. Congress created a new War Board in late 1777 who were not members of Congress. Its duties were expanded to include medicine, clothing, and provisions. It was also supposed to develop estimates of required equipment and supervise the building and maintenance of arsenals, barracks, and other facilities needed for the military. The War Board was made up of people who were antagonistic to General Washington so it failed to be of much use. This was replaced in 1781 by a War Department.<sup>439</sup> A further problem existed in the administrative staff set up by Congress under the War Board. The problem was that the contracting officers were paid based on commission which

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<sup>438</sup> Ibid., 646-648.

<sup>439</sup> James Huston, *Logistics of Liberty: American Services of Supply in the Revolutionary War and After*, (Cranbury, New Jersey: University of Delaware Press, 1991), 64-66.

meant that the more they spent the more they were paid. This raised prices, added to the devaluation of currency, and in the long run to the supply breakdown of the Continental Army.<sup>440</sup> It was the states that provided (grudgingly and inadequately) for their own contingents in the Continental Army.<sup>441</sup> Three main sources existed for obtaining ammunition; captured enemy munitions at sea, the exchange of imported ammunition for exemption from the embargo (Association), and local production.<sup>442</sup> Ammunition procured by Congress was not a primary source.

The attempt by Congress to manage naval affairs was no less abysmal. In October 1779 Congress established a Board of Admiralty whose members included two Congressmen and three commissioners with the powers and duties almost the same as the Marine Committee which it replaced. The Board of Admiralty was never able to find a third commissioner and rarely was able to form a quorum.<sup>443</sup> It was discontinued in July 1781. The Navy boards fared no better. In August 1781 Congress created the Agent of Marine to “direct, fit out, equip, and employ, the ships and vessels of war belonging to the United States” but had to assign the duties to the Superintendent of Finance by September because no one had taken the post.<sup>444</sup> The Continental Navy had virtually disappeared by 1780 possessing only five ships, and played almost no useful role. Not a single U.S. vessel was with the French fleet at Yorktown. The U.S. relied on the French Navy, privateers, and state navies. In John Adams view; “recollecting the whole history of the rise and progress of our navy, it is difficult to avoid tears.”<sup>445</sup>

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<sup>440</sup> Ibid., 67.

<sup>441</sup> “By the winter of 1779-1780, with the treasury depleted and army storehouse’s empty, Congress abdicated much of its responsibility for the army to the states. It asked each state to pay its own troops in the Continental Army and adopted a system of requisitioning the states for “specific supplies” Under this plan Congress apportioned quotas of food, clothing, fodder, and other necessities among the states according to their special resources. Unfortunately for the starving Continentals, the situation did not improve. States did not have adequate administrative machinery and were reluctant to commandeer supplies from their citizens. Almost every state argued that its quota was unfairly high and refused to cooperate until Congress made adjustments – which never quite met all the objections.” Allan Millett and Peter Maslowski, *For the Common Defense: A Military History of the United States of America*, (New York: The Free Press, 1994), 63. (underline by this author)

<sup>442</sup> “How America Has Procured Munitions, Since 1774,” 259-288.

<sup>443</sup> Charles Paullin, *The Navy of the American Revolution: its administration, its policy, and its achievements*, (Cleveland, OH.: The Burrows Brothers Company, 1906), 194.

<sup>444</sup> Department of the Navy, Naval Historical Center, “Congress and the Continental Navy, 1775-1783: Chronology and Documents”; available from <http://www.history.navy.mil/wars/revwar/chron.htm> Internet; accessed 13 February 2010

<sup>445</sup> Millett and Maslowski, *For the Common Defense: A Military History of the United States of America*, 79.

Congress did not function as a government during the American Revolution prior to the ratification of the Articles of Confederation. It did not have any administrative capacity, coercive capacity, or legislative ability. Although it appeared to accept the responsibility for “national” financial obligations, Congress could not tax, raise revenue from commercial sources, or set monetary policy to finance the war effort. It was kept afloat by loans from foreign governments. Congress failed to manage the war effort which was the core reason for its very existence. The Continental Congress was simply an assembly of ambassadors.<sup>446</sup> The result was that the war effort in many respects was carried on by George Washington himself and by the various states cooperating when it was in their interest; i.e. when the British army was close by. In fact the French by 1781 had become wise to the inability and inefficiency of Congress so that they stipulated that only George Washington was allowed to spend money they donated.<sup>447</sup> The point is that there was no “government” during this period.

### **3-2 c. Military Cooperation**

**3-2 c. (1) The militia system as the basis for generating combat capabilities.** The British colonies in America had a long history of generating military capabilities and the capacity to produce military capability. The early English settlements were under threat not only from native tribes but also from other European powers and so all of them hired professional soldiers as military advisers to help with local defense. The colonists had to adapt the militia system to their local circumstances. Massachusetts was the first English colony to create permanent regiments in 1636 (created in the British army in 1640’s). Experience in frontier fighting demonstrated the weakness of the matchlock musket so that by 1675 almost all of the colonies militias required its troops be equipped with flintlocks completing the transition to this weapon twenty five years before most European armies. Since most colonists hunted there were a large number of rifles made in the colonies (particularly in Pennsylvania) which resulted in an emphasis on rifle marksmanship. Militia training in the American colonies stressed individual

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<sup>446</sup> In the Continental Congress “little basis existed for the kind of vote trading and bargaining that would have allowed for forming and maintaining coalitions. Instead, state delegations, rather than moderating their claims in order to facilitate deals with other states, pursued their limited interests without restraint.” Jillson and Wilson, “A Social Choice Model of Politics: Insights into the Demise of the U. S. Continental Congress,” 26.

<sup>447</sup> Bolles, *The Financial History of the United States from 1774 to 1789*. 241.

marksmanship rather than massed firing also to fight frontier battles with native tribes. Leadership in the militia was controlled by local elites whether the colony elected or appointed its officers. Recruitment was not an issue since in the colonies few free adult males were exempt from belong to the militia because of the early settlers need for local defense. As the colonies became more settled the economic impact of taking all males out of a town or region for any length of time was too severe. The solution was that temporary detachments were formed out of regular militia companies for long term operations. The militia system of universal service became a replacement pool, local training center, and a local military supply center. Starting in the late 1600s a series of conflicts involving expeditions against Spanish and French colonies exceeded the capacity of the militia system. The solution was that the colonial governors and legislatures formed regiments outside the local militia structure. These temporary regiments were called Provincials and were raised for the current conflict and then disbanded. The units had a period of one year service so new regiments were formed each year if necessary. The colonial government appointed the officers who had a status greater than that of militia officers. A famous example of a Provincial unit was Rogers Rangers during the French and Indian War.<sup>448</sup> George Washington was a Provincial officer. The experience fighting numerous frontier conflicts against native tribes and creating Provincial regiments for colonial conflicts, along with the militia system that provided the infrastructure for creating military capability, gave the various English colonies a significant capacity to produce military capability.

**3-2 c. (2) The parallel conflicts fought at the state and local level.** There were two additional aspects to the American Revolution that were fought primarily at the local level by local and state forces. The first is the conflict between Patriot and loyalist/Tory forces that, especially in the Southern states, took on the flavor of a civil war. The second aspect was the conflict with native tribes allied with the British including four tribes of the Iroquois, Cherokees, Choctaws, Creeks and Chickasaws; tribes located

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<sup>448</sup> Wright, *The Continental Army*, 7-9.

from Canada to Florida.<sup>449</sup> The fighting with the Indians during the revolution was significant and geographically extensive conducted primarily by local forces except for a punitive expedition against the Iroquois in 1779 by part of the Continental army. The fighting reverted to a localized conflict after the Continental troops withdrew.<sup>450</sup> The conflicts between the loyalists / Tories and Patriots, and with the Indian tribes along the various state frontiers was a parallel conflict managed almost exclusively at the state and local level.

**3-2 c. (3) Naval military activities** The Congress' poor performance of managing the Continental Navy has been noted. The force itself only had one successful operation; a raid on Nassau in the Bahamas. Congress authorized the construction of thirteen frigates in December of 1775; of these only one sank in battle, the British captured seven, burned two, and the Americans had to burn the other three to keep them from capture. This doesn't mean that the conflict at sea was unsuccessful; rather it was other naval forces that produced the most significant results.

The first successful American naval force was established by George Washington during the siege of Boston in 1775. By January 1776 it consisted of seven schooners and a brigantine that captured thirty five British ships. When Washington left Boston for New York the Marine Committee of Congress ordered its agent in Boston to dismiss the fleet. Washington however, repeated the process in New York forming a small fleet to help defend the city and captured a number of British ships off of Long Island.<sup>451</sup> Washington's fleets were his own creation and materially added to the war effort by obtaining arms, ammunition and supplies, as well as stopping some British reinforcements. The point is that it was not a national fleet but a fleet in the service of the Army commander.<sup>452</sup>

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<sup>449</sup> "While British regulars and Continental troops fought campaigns in the East, in the backcountry – which usually meant the Indians' backyards – whites killed Indians, Indians killed whites, Indians killed Indians, and whites killed whites in guerilla warfare that was localized, vicious, and tolerated no neutrals." Colin Calloway, *The American Revolution in Indian Country*. (Cambridge, UK.: Cambridge University Press, 1995), 26.

<sup>450</sup> Millett and Maslowski, *For the Common Defense: A Military History of the United States of America*, 79.

<sup>451</sup> Paullin, *The Navy of the American Revolution*, 61-71.

<sup>452</sup> Note: Another fleet in the service of the Army was on Lake Champlain, which, although it was wiped out by a larger British force, delayed them setting up conditions for an American victory at Saratoga.



Another successful American naval force was the fleet of privateers; privately owned armed vessels authorized to attack enemy shipping by a letter of marque, i.e. legalized piracy. These military entrepreneurs saw this as a way to get rich quick so there were a large number of privateers (over 2000 were authorized). They severely damaged British trade and were the most effective American naval effort. British losses were significant; shipping insurance costs rose dramatically and forced the British to use convoys to protect their merchant ships which reduced the number of warships available for other duties. The privateers also disrupted communications between England and the British forces in North America.<sup>453</sup> The key point is that the most effective American naval force was not based on military cooperation, but on private military entrepreneurs.

The last category of American naval force is the navies of the various states. Except for Delaware and New Jersey, all of the states produced some sort of state naval force. Although no one state had a naval force larger than the Continental navy all of the state navies combined had a much larger total number of ships. The states' navies were designed to protect their ports, costal waters and local trade ships. These tended to act as a waterborne militia that was used to ward off British raids or keep loyalists/Tories from being supplied or supporting the British. Massachusetts was the one state where deep sea vessels outnumbered costal defense vessels; the largest being a frigate of 28 guns. The naval administration in the states varied; some states had separate state naval boards and war boards while others had a combined board.<sup>454</sup> States also commissioned privateers, with Massachusetts being the first to do so with an act passed in November 1775 setting up a prize court and granting letters of marque and reprisal.<sup>455</sup> The state navies were not insignificant and participated in several engagements including the defense of Philadelphia and the Penobscot expedition; the greatest naval disaster prior to Pearl Harbor.<sup>456</sup> Although a disaster, the number of state navy vessels participating was far greater than the Continental

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<sup>453</sup> Millett and Maslowski, *For the Common Defense*, 80.

<sup>454</sup> Paullin, *The Navy of the American Revolution*, 315-318.

<sup>455</sup> *Ibid.*, 320-322.

<sup>456</sup> *Ibid.*, 349-351. The American fleet of 3 Continental Navy vessels, 3 Massachusetts State vessels, 1 New Hampshire State vessel, 11 Massachusetts privateers, and 22 transports was destroyed by a British force in Penobscot Bay, Maine on 14 August 1779.

Navy. The important point is that the states had the capacity to create and use naval military capabilities as well as land forces.

**3-2 c. (4) Production of land military capabilities<sup>457</sup>** The critical point is that the states produced the vast majority of all of the land forces; even the units of the Continental Army came from the states because they were the entities who possessed the capacity to produce military capability. Congress never had the capacity to generate significant military capability. It produced limited naval forces, some technical services that were auxiliaries to the army, and two regiments recruited in Canada. Washington directly recruited “additional” units but they proved difficult to fill. Congress requested forces from the states, authorized the recruiting of regiments in the states for the Continental Army, accepted units generated by the states or adopted units generated by the states but in only very limited circumstances did Congress generate military capability. One contentious issue was who appointed the officers of the Continental units because the states wanted to control the appointments (a patronage opportunity). Although it nominally won the right to name officers, in practice Congress compromised by agreeing to select from a list of state nominees for each unit. Congress had more success in controlling promotions, especially those based on merit, since the middle and southern colonies knew that if promotions were based on seniority New England would completely dominate the force.<sup>458</sup>

The first force that Congress adopted was the New England army (that became the Continental Army) which was a combined army consisting of the Massachusetts, New Hampshire, Rhode Island, and Connecticut state armies; raised, trained, equipped, and supplied by each state, and led by state officers. The second force was the group of units that had been requested by Congress including New York troops and the 4th Connecticut Regiment to garrison Ft. Ticonderoga and later invade Canada. The next force was very significant; the ten companies of riflemen that were the first units created directly as Continental soldiers. Congress allocated the companies to Pennsylvania, Maryland, and Virginia which were

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<sup>457</sup> It will be noticed that this section relies heavily on one source, but it is the US Army’s official history of the Continental Army and I have relied on it since it should be the authoritative history of the subject.

<sup>458</sup> Wright, *The Continental Army*, 76.

expected to create the units.<sup>459</sup> These first purely Continental units were provided by the states. Another issue for Washington was that each colony had a different regimental organization which made tactical coordination difficult. Since almost all of the Continental soldier's enlistments ended on 31 December 1775, Washington took the opportunity to attempt a complete reorganization to a standardized regiment for the entire army. Washington also wanted to distribute good officers throughout the army regardless of which colony they came from, but he had to abandon this attempt to mix officers from different colonies in the regiments because it was extremely unpopular.<sup>460</sup> The lack of reenlistments pushed Washington to ask the New England governments to use a draft to fill their regiments (since they were responsible for manning them), and to request any available weapons because the states were responsible for equipping the units. Washington was forced to accept state militia units to fill out the army around Boston for the remainder of the siege during the first several months of 1776.

In October 1775 Congress authorized General Schuyler to organize a Continental regiment out of the Canadians who wanted to join his army. Moses Hazen (a Captain in Rogers' Rangers) was authorized by Congress to raise a second Canadian regiment. It was made up primarily of French veterans of the French and Indian War who remained in Canada and was organized like a French regiment from that war. Hazen personally financed the regiment; Congress did not reimburse him. So of the two regiments not provided by a state that were part of the Continental army, one was created and maintained by an individual and had a completely different organization.

With enlistments ending at the end of 1775 new regiments for the Northern Department had to be created. There were the regiments of Canadians, two regiments from reenlisting soldiers, and regiments from New York, New Hampshire, Connecticut, New Jersey, and Pennsylvania. General Schuyler also

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<sup>459</sup> "Responsibility for recruiting the companies was given to the three colonies' delegates, who in turn relied on the county committees of those areas noted for skilled marksmen. The response in Pennsylvania's western and northern frontier counties was so great that on 22 June the colony's quota was increased from six to eight companies, organized as a regiment. On 25 June the Pennsylvania delegates, with authority from the Pennsylvania Assembly, appointed field officers for the regiment." Wright, *The Continental Army*, 25-26.

<sup>460</sup> Ibid., 51.

wanted to mix officers and units from different colonies; however, the consensus was that it was impractical.<sup>461</sup>

“Both Washington and Schuyler hoped to emphasize national identification by mingling personnel from several colonies in each regiment. Opposition from officers and men alike ended that concept.”<sup>462</sup>

Washington wrote to the state governments of Connecticut, New Hampshire, and Massachusetts to change the short term militia regiments they were sending him into Continental regiments for the Northern Department.<sup>463</sup> Horatio Gates, commander of the field forces under General Schuyler, created a four brigade structure for his army by grouping regiments from the same or adjacent colonies to “minimize friction”.<sup>464</sup> Gates had run into the same problem regarding cooperation between the units from different colonies who did not want to serve together. During the Battles of Saratoga “over two-thirds of the Northern Department's soldiers, (including artillery and cavalry troops) were militiamen from New England and New York.”<sup>465</sup>

Limited military cooperation was not only true of the armies of the northern states, but was also the norm in the middle and southern states. Virginia created eight state regiments with a different organization from the reorganized Continental Army.<sup>466</sup> Virginia offered the units to Congress but did not change their organization to Continental standards nor alter the terms of enlistment.<sup>467</sup> North Carolina

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<sup>461</sup> Ibid., 57-59 (one regiment of reenlisting soldiers would have had 5 companies from New York and 3 from Massachusetts, and the other would have had 4 from New Hampshire, 3 from Connecticut, and 1 from New York. Instead there was one regiment of New York veterans and one of Connecticut veterans with a few other New England soldiers.)

<sup>462</sup> Ibid., 65.

<sup>463</sup> Congress also authorized New York to raise four additional regiments in January. “The colony's Provincial Congress allocated company quotas to the various counties on 15 February and submitted nominations for field officers to the Continental Congress in March.” Ibid., 61.

<sup>464</sup> Ibid., 61-65.

<sup>465</sup> Ibid., 117.

<sup>466</sup> Ibid., 67-70.

<sup>467</sup> “The nine regiments, like the frontier companies, were raised as state troops for the defense of Virginia and its neighbors. That fact, the ten-company organization, and the short enlistments made the regiments similar to the earlier Provincials. Virginia did not alter its regimental organization to conform to Continental standards, and the transfer did not alter the terms of enlistment. It did require the officers to exchange their colony commissions for Continental ones, and a few refused and resigned.” Wright, *The Continental Army*, 70.

regiments also did not match Continental standards.<sup>468</sup> South Carolina decided to reinforce its militia with regular state troops rather than asking Congress for authorization to create Continental troops. When Congress asked South Carolina to raise three regiments matching the Continental army's organization, South Carolina "did not immediately transfer its units to the Continental Army but tried to delegate operational control over them."<sup>469</sup> Congress eventually accepted the South Carolina units as Continentals with a compromise in which "it promised not to send more than one-third of the troops outside South Carolina without prior notice."<sup>470</sup> In effect South Carolina kept a hold on its "Continental Army" troops. Georgia raised an infantry regiment for the Continental Army but the state continually asserted "a right to retain an interest in the regiment's affairs".<sup>471</sup> Military cooperation in the South was much less consistent than in the North,<sup>472</sup> with local leaders preferring to support the local militia rather than the Continental Army.<sup>473</sup>

Military cooperation was better in the middle states. Delaware formed a Continental regiment but it lacked weapons until joining Washington's army. New Jersey created sixteen companies according to militia strength in its various counties while a third Continental regiment was raised on a colony-wide basis. Pennsylvania had a large Quaker population so it did not have a compulsory militia. Instead it relied on volunteers called associators. A regiment was recruited matching the organization of

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<sup>468</sup> "Colonial concurrence was required to raise the new regiments. However, the Provincial Congress was receptive and on 9 April approved raising the three new regiments for two and a half years." "The Provincial Congress had second thoughts, however, and on 13 April it ordered that its regular forces be reorganized as six instead of five regiments. Five new companies were raised by each of the six military districts, and the remaining two were organized in the colony at large. The staff of these units deviated from the Continental model." Wright, *The Continental Army*, 71-72.

<sup>469</sup> Ibid., 73. (underline by this author)

<sup>470</sup> Ibid.

<sup>471</sup> Ibid., 74.

<sup>472</sup> "Each colony raised a separate force independently or with congressional encouragement. Regimental structures varied." "These forces gradually were adopted as part of the Continental Army. Two key differences set the south apart. The region, with little manpower to spare from a plantation economy, turned rapidly to enlisting men for long terms, typically two years. Many of the colonies also resisted surrendering full control over their troops to the national government in distant Philadelphia. All refused to comply completely with the standard eight-company structure for Continental infantry regiments." Wright, *The Continental Army*, 75.

<sup>473</sup> "The fact that militia or minutemen had played a major role in defeating the Loyalists and Indians, however, led to difficulty in recruiting for the Continental regiments since their success had reinforced colonial leaders' belief that militia forces were adequate for local defense. These southern leaders consequently did not give the Continental units the same support that their northern counterparts did." Ibid.

Washington's regiments. Congress asked for four more regiments. This time companies were recruited by counties and formed into units on a geographic basis, but they were battalions not regiments, and differed from other units by having a company of riflemen. Pennsylvania wanted its units to be formed into a unified brigade so it could retain some control over the use of its army and train its junior officers. Because of the defeats in Canada this did not happen as Pennsylvania units were sent to various locations.<sup>474</sup> Maryland formed one regiment of nine companies different from the Continental organization by including a light infantry company and additional officers. It also created 7 separate infantry companies and 2 artillery companies. When asked to form two Continental units in August 1776, Maryland transferred the regiment and the independent companies to the Continental Army but did not provide a second regimental staff.<sup>475</sup>

The middle states provided a few combined units. One was a "German Battalion" authorized by Congress in May 1776, of immigrant Germans recruited in Maryland and Pennsylvania for three-year terms. Another was the Maryland and Virginia Rifle Regiment created in June 1776, whose cadre was from the original Continental rifle companies recruited in 1775.<sup>476</sup> These combined units functioned because they had an identity other than the geographic state; one was composed of German immigrants, the other of frontiersmen who had more in common with each other than with the people of the settled regions of each state. This is in comparison to Washington's and Schuyler's attempts to "emphasize national identification by mingling personnel from several colonies in each regiment" that failed (an example of identity at work in the creation of military forces). Washington did create a provisional "artificer" regiment (construction engineers) with carpenters, blacksmiths, and a company of boat builders for his army by selecting skilled individuals from the entire army.<sup>477</sup>

What Congress did control was the operational and strategic level organization of the conflict. As the conflict spread to areas outside of New England Congress created geographic departments. It first

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<sup>474</sup> Wright, *The Continental Army*, 78-80.

<sup>475</sup> Ibid., 81.

<sup>476</sup> Ibid., 81-82.

<sup>477</sup> Ibid., 89.

created a Northern Department (upstate New York) and then a Canadian Department. This was followed by a Middle Department and a Southern Department. Washington was overall Commander-in-Chief and in command of the "Military District" of New England. Each Department had a Major General in command with two brigadier generals and a staff to support him.<sup>478</sup> The shift of Washington's army to New York City put him in command of the Middle Department. A Western Department encompassing Western Pennsylvania, North-Western Virginia, and the Ohio River valley was also created. With Washington's move to New York City, New England became the Eastern Department but it needed additional forces. Congress adopted two Rhode Island state units, Massachusetts gave operational control of three existing state regiments to the Eastern Department (with the caveat that they could not be sent out of the state), and Connecticut created two regiments of state troops. These state troops significantly augmented the defenses of the Eastern Department.<sup>479</sup> The transfer of operational control of Continental forces between Departments was a Congressional function that was shared with Washington as Commander-in-Chief. At the strategic and operation level there clearly was military cooperation guided by Congress.

Facing the threat of attack against both the Northern Department from Canada and against Washington's main army in New York City, Congress estimated that the Northern Department needed 20,000 men and Washington's Main Army needed 25,000 troops. To reach these numbers Congress asked the states to provide 30,000 militia.<sup>480</sup>

“Congress' decision to turn to the militia rather than attempt to recruit more Continental regiments was based on practical and ideological reasons. Militia could take to the field quicker. Many delegates also believed that America faced a crisis which demanded the full participation of society for the Revolution to succeed. They felt that the militia, rather than the regular army, was the military institution which represented the people.”<sup>481</sup>

This view of the militia as the primary fighting force vs. a standing regular army was the critical debate in terms of how combat capabilities should be generated and will be examined in detail later. In

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<sup>478</sup> Ibid., 82-84.

<sup>479</sup> Ibid., 85.

<sup>480</sup> Ibid., 86 (6,000 for Ticonderoga, 13,800 for New York City, and 10,000 for a mobile reserve)

<sup>481</sup> Ibid., 86.

Washington's army "fifty-seven percent of the total strength came from 36 regiments of militia and 4 regiments of state troops."<sup>482</sup>

The constant need for reorganization and recruitment due to the short one year enlistments (based on the previous experience of creating Provincial units) was a serious problem. Congress tried to adopt a permanent organization called the "eighty-eight battalion resolve" that called for eighty-eight regiments matching the organization in Washington's army. Regiments were allocated to the states based on the population of each state. A state's "line" consisted of its Continental infantry regiments allocated under this plan.

"Congress continued to commission all officers while allowing individual states to actually name the officers up to and including colonels. The states were expected to provide the arms, clothing, and other equipment for their respective regiments; they could withhold part of the men's pay to cover the cost of uniforms."<sup>483</sup>

Washington asked for more infantry, more artillery, and a force of cavalry. Congress gave him authority to create 16 additional infantry units, three artillery regiments, and a force of three thousand light cavalry. These units were unique in that they would be organized under Continental Army authority rather than by the state governments. Washington had serious difficulty recruiting the units. In Connecticut the effort by one of Washington's aids to create a unit there was more successful "once he received support from the state government."<sup>484</sup>

"Because of serious recruiting problems, Washington attempted to raise only 15 of the 16 approved regiments, and 2 of those were stillborn when their colonels declined the commands. Although some of the additional regiments were quite successful, none could compete equally with the regiments organized under the September 1776 state quotas."<sup>485</sup>

The attempt to create units directly under the authority of the Continental army was a failure. In 1778 Congress cut the regiments recruited by Washington.

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<sup>482</sup> Ibid., 87.

<sup>483</sup> Ibid., 92. (underline by this author)

<sup>484</sup> Ibid., 99-100.

<sup>485</sup> Ibid., 102.



“They generally were weaker to begin with and lacked the political support of the state lines. Congress normally consolidated units from the same or adjacent areas, retired the excess officers, and transferred the consolidated unit to a state line if possible”<sup>486</sup>

During the winter at Valley Forge (1777-1778) the army had only about a third of its authorized strength.

By May 1778 Congress reduced the number and size of the infantry regiments by thirty percent.<sup>487</sup>

Although this reorganization reflected the impossibility of recruiting a large, long-term army that Washington wanted, it also reflected some Congressional factions unwavering suspicion of a standing army. After creating a large army with the “eighty eight battalion resolve”, that army was expected to win. It had not done so, but a smashing victory had been won at Saratoga with the assistance of large militia forces. The opponents of a large army compared Gates' victory at Saratoga with Washington's loss of Philadelphia.<sup>488</sup>

The surrender of Charleston SC. in May 1780 wiped out the entire Continental army of the Southern Department.<sup>489</sup> Another defeat at Camden SC decimated three Maryland “line” regiments, the Delaware “line” regiment, and a regiment of artillery.<sup>490</sup> The result of these losses combined with recruiting problems and financial difficulties led to a final reorganization plan in October of 1780. The result was a major reduction in the number of units.

“All other units had to disband and transfer their enlisted men to the line regiments. Congress allotted every regiment, except Hazen's and the two partisan corps, to a single state to simplify subsistence and troop replacement.”<sup>491</sup>

This last reorganization implicitly acknowledged that only the states were capable of providing and sustaining the primary military combat capabilities of the army. This was the last major effort at creating

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<sup>486</sup> Ibid., 148

<sup>487</sup> “Washington knew that the demonstrated lack of state support for a large army had negated the paper advantages of the 1776 regiment, and he grudgingly accepted the loss of tactical control, although he remained upset by Congress' insistence on using line officers to perform staff duties outside the regiment.” Wright, *The Continental Army*, 127. (underline by this author)

<sup>488</sup> Ibid., 121-128

<sup>489</sup> The surrender of the army included all of the South Carolina Continental “line” regiments and two regiments of Artillery, three North Carolina “line” regiments and a supporting artillery company, three Virginia “line” regiments, a battalion of light infantry, a French unit, a Spanish unit, a brigade of Charleston militia, and a mixed brigade of South Carolina and North Carolina militia. Carl Borick, *A Gallant Defense: The Siege of Charleston, 1780*, (Columbia, South Carolina: University of South Carolina Press, 2003), 252.

<sup>490</sup> Wright, *The Continental Army*, 155-156.

<sup>491</sup> Ibid., 157.

military capabilities during the conflict and it was this force that entered the final campaign of 1781 that led to Victory at Yorktown.

### **Special Units**

**Artillery.** The states were the main creators of artillery forces.<sup>492</sup> Additional forces were created from reenlisting veterans and recruiting in the states.<sup>493</sup> Chief of Artillery, Henry Knox, did however take care of the special logistical needs of the artillery.<sup>494</sup> The expansion of the artillery units was made possible primarily by imported French guns. There was some domestic production of iron guns but these cannon were too heavy for the field army and were limited to fixed fortifications. There was limited production of bronze cannon at the foundry in Philadelphia.<sup>495</sup> In November 1777 Congress approved the addition of two more artillery artificer companies. Knox grouped the four companies into a regiment and by February 1778 Congress consolidated responsibility for ordnance, munitions, military equipment, and repair of weapons under the Carlisle depot commander who became colonel of the Artillery Artificer Regiment.<sup>496</sup>

**Cavalry** was also provided by the states. The first unit was a regiment composed of six troops of light horse created by Virginia as state troops that were transferred to Washington. The second regiment was formed around Connecticut militia troopers who were converted into Continentals. The third regiment came from Virginia and the fourth from Pennsylvania. Virginia and Connecticut helped to overcome problems in obtaining horses and equipment, specialized cavalry weapons, and training the horses for combat. Assistance from “the two states noted for raising horses in the eighteenth century,

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<sup>492</sup> Ibid., 127.

<sup>493</sup> Ibid., 102.

<sup>494</sup> “He wanted Congress to create a company of artificers, to regroup the staff of the Commissary of Military Stores, and to establish laboratories and a foundry so that the Army could begin producing its own cannon, ammunition, and related items.” “Congress established a foundry at Philadelphia and laboratories at Carlisle, Pennsylvania, and Springfield, Massachusetts. The latter sites served throughout the rest of the war as ordnance depots for Army operations in the northern half of the country.” The Carlisle commander “recruited two companies of ordnance technicians and repairmen who, unlike the hired artisans of earlier years, were full-time soldiers. Capt. Isaac Coren, the “Director of the Laboratory for the United States,” commanded one company, which was located at Carlisle and had a standard artillery company organization. The second company, led by a master carpenter, consisted of a full range of skilled workers to maintain the Main Army’s artillery park, or general reserve.” Ibid., 102-104.

<sup>495</sup> Ibid., 104.

<sup>496</sup> Ibid., 136.

indicated the importance of supply factors in creating the regiments.”<sup>497</sup> Shortages of men and horses forced the 2d and 4<sup>th</sup> Continental Light Dragoon regiments to be equipped as infantry in 1779. The other two Light Dragoon regiments were transferred to the Southern Department for the rest of the war.<sup>498</sup>

**Engineers.** The French Minister of War loaned four military engineers to the Continental Army in 1777. The leader of the French engineers, Duportail, was made a Brigadier General and put in command of all engineers in the Army. They first developed bridging capabilities for the army, and a large portion of the engineers helped to construct the fortifications at West Point, NY. Duportail next proposed to create companies of sappers and miners. Washington liked the plan to train the sapper and miner company officers as apprentice engineers because it would create a method to train native-born engineers. In March 1779 Congress made the Corps of Engineers the status of a branch of the Continental Army on par with the Artillery. Washington also appointed a topographical staff of a geographer and surveyor with six survey teams to produce maps.<sup>499</sup> In the summer of 1778 Washington organized companies of skilled workmen serving the Quartermaster General using them as construction parties. These artificer companies helped build West Point, maintained wheeled vehicles, and mended roads as pioneers (construction engineers) during marches. Congress directed the nine companies be grouped into a Quartermaster Artificer Regiment in November 1779.

**Other light units** included “partisan corps” or “legion” based on a European type unit designed to conduct raids on enemy rear areas. In December 1776 Congress created the first of these units recruited primarily from the German-American community but with foreign volunteer officers. The second unit was an independent legion Commanded by General Pulaski composed of 200 light infantry and a troop of cavalry. A third unit was created in April 1778 composed of light dragoons (cavalry) and dismounted troops. Congress also created a mounted military police unit (the Marechaussee Corps) in

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<sup>497</sup> Ibid., 107.

<sup>498</sup> Ibid., 150.

<sup>499</sup> Ibid., 132.

1778. Congress created a Corps of Invalids in 1777 of men not fit for field duty to garrison fortifications such as West Point and it served there for the rest of the war.<sup>500</sup>

### **Training, Standardization, and Administration**

In 1777, once French supplies began to be abundant, the 1763-model French Army musket became the standard infantry weapon of the Continental Army.<sup>501</sup> State troops and militia however had a mix of weapons. A Commissary General of Prisoners was created in 1777 and Washington also used that office to coordinate intelligence activities. The logistic structure included a Commissary General and a Quartermaster General's Department organized into specialized groups to handle transportation, quarters, forage, and baking. A hospital service was organized to provide support to the territorial departments and service the soldiers. At Washington's request Congress created a Clothier General's Department to furnish uniforms in late 1776. Under the Clothier there was a Commissary of Hides to produce leather goods.<sup>502</sup>

One foreign volunteer, Frederick Wilhelm von Steuben, was the most important trainer and creator of an administrative staff for the Continental Army. Steuben created a new training system mixing Prussian, English, and American practices. Steuben emphasized bayonet training to add to the existing marksmanship skill of the Continental soldiers. Steuben personally trained a provisional "model company" at Valley Forge to use his system. After they were trained the members of the model company instructed all other units at Valley Forge and then the rest of the army. Steuben also created a simple and effective system for maneuvering units on the battlefield. Steuben's system covered all aspects of infantry drill and maneuver. In March 1779 Congress approved publication of Steuben's *Regulations for the Order and Discipline of the Troops of the United States, Part I*. Almost every officer received a copy of what became known as "The Blue Book". Steuben's drill book covered many additional topics. The Blue Book specified routine of daily life and emphasized health and morale, it improved the efficiency of the trains, it covered the importance of regimental administration, it clearly explained the functions of

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<sup>500</sup> Ibid., 133-134.

<sup>501</sup> Ibid., 113.

<sup>502</sup> Ibid., 114-115.

every individual in a regiment, and it specified training for senior noncommissioned officers. It was different from other army regulations of its day because it emphasized that an officer was “to gain the love of his men, by treating them with every possible kindness and humanity, enquiring into their complaints, and when well founded, seeing them redressed. He should know every man of his company by name and character.” Steuben made the Continental Army the most progressive military organization of its day.<sup>503</sup> Steuben then became the Inspector General from 1778 through 1780 becoming Washington's de facto chief of staff and a Major General. Steuben had assistants at division level along with a major in each brigade whose first task was implementing Steuben's drill system. The main duty of these Inspector Generals was to ensure that units followed official Army doctrine. The Army Adjutant General worked with Steuben to standardize the Army's paperwork developing printed forms for most of the routine regimental and brigade bookkeeping chores. Steuben developed policies while the Adjutant General performed routine administration. The Inspector General gradually absorbed the mustering department as well covering all the territorial departments. Inspectors were authorized for all combat arms and technical branches. Steuben became the Continental Army's supreme administrator since his department had parallel positions under all territorial, division, and brigade commanders in the Army.<sup>504</sup>

### **3-2 d. Measuring Independent Variable – The degree of integration of military capabilities and the capacity to produce military capability**

The independent variable in this study is the degree of integration of military capabilities and the capacity to produce military capability. The independent variable will be measured by category based on the evidence that has been presented.

**Category 1** - Military forces; consisting of administrative staffs and operational forces.

Operational forces during this period chiefly consisted of state sponsored units acting as part of a joint force; integrated only at the senior command levels. The integrated forces were minor and consisted of the Continental Navy, the special units and a few of the additional regiments recruited by Washington

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<sup>503</sup> Ibid., 143. See Also; Charles Royster, *A Revolutionary People at War: The Continental Army and American Character, 1775-1783*, (Chapel Hill, NC.: University of North Carolina Press, 1979), 213-223.

<sup>504</sup> Wright, *The Continental Army*, 145. See Also; Royster, *A Revolutionary People at War*, 238-240.

under the authority of the Continental Army (which had limited success and were soon eliminated). Most attempts to create integrated regiments (mixed units with soldiers from multiple states) were opposed by the officers and men unless they had a preexisting identity such as the German-American units. It was found that only the states had the capacity to generate and sustain the major combat forces of the Continental Army. The States also fought a parallel conflict using their own state forces. Non-integrated and non-standardized militia and state troops played a major role in the conflict. The administrative staffs established by Congress, the War Board and the Navy Board / Admiralty were an abysmal failure. The Continental Army's internal administrative staff improved once Steuben became the Inspector General; however it was limited to the internal workings of the army. Military forces therefore in this case can not be seen as integrated except in a very minimalist way and can only generously be scored as a 0.5.

**Category 2.** Arms production and Technology as a factor in arms production.

The source for most weapons used during the conflict was foreign imports; British or French / Spanish. The domestic production of weapons was limited to rifles and some cannon, both located primarily in Pennsylvania. Domestic Gunpowder production was primarily in New York. Therefore, in this category there was some sharing of low tech production which is a very low level of integration and will be scored as a 1

**Category 3.** Military technology as a factor in operational (combat) forces.

The initial combat forces relied on a wide variety of equipment depending on what was available in each state or could be captured from the British. Not until large numbers of French muskets became available was there any standard weapon. There were numerous Artillery pieces in different units. Basic equipment like shoes and uniforms were in short supply. Rifles were an important part of many units but they were almost always a hand crafted weapon. The militia and state troops had a variety of weapons. On the other hand almost all of them were muzzle loading flintlocks at the same level of technological development. For this reason it can be viewed that they all had common basic equipment which is a low level of integration and is scored as a 2.

**Category 4.** Creation of combat power; Doctrine, Training, Leader Development, Organization, Materiel, and Soldiers. (DTLOMS)

Not until Steuben created the unique system outlined in the “Blue Book” was there anything approaching a standard doctrine. The states produced combat power using the militia system as the basis to do that and those units conformed to local needs. Although training across the states tended to emphasize marksmanship over the bayonet, there was a difference in how units trained and organized for frontier duty vs. those trained to defend against the British. Leaders were also for the most part selected by the states; sometimes for political reasons rather than military competency. Congress only exercised complete control over general officer appointments. The states produced units with different organizations depending on local circumstances and often they did not follow the guidelines established by Washington for the organization of units in the Continental Army. Material was non-standardized among the various forces and only the importation of French muskets gave the Continental Army a standard weapon, the rest were non-standardized. Recruitment for the most part depended on the states and the militia system as its basis. Recruitment on an annual basis for the first several years of the war also forced reorganizations of the army each year for several years. Soldiers pay, food, clothing, and medical care were mostly borne by the states mainly because of the lack of administrative capacity demonstrated by Congress. As the war dragged on recruitment became a major issue and forced several reorganizations of the army. Congress did eventually support a severance pay and limited retirement but that is covered in the next section. The only integration in this area was achieved by Steuben as Inspector General and that was very minimal. The special units were small and tended to have narrow functions and fluctuating organizations but can be said to have been integrated. This category can not be seen as integrated except in a limited way and can only be scored as a one.

**Category 5.** Use and sustainment of military forces; Command and Control (C2) Communications, Logistics.

The logistic sustainment of the force was not integrated. Congress failed to support the force as a whole. It was foreign support, state support to its own regiments, and the army capturing British supplies

and confiscating property to feed itself that sustained it. It is to be recalled that the French stipulated that only Washington could spend the largest grant that they made because they became wise to the inability of Congress to properly manage funds. The logistic system did not function during the war.

Communications were established between each state and between the various military departments so that it can be said that there was an integrated communications system that had its basis in the committees of correspondence even prior to the conflict. Command and control is the primary area where integration can be said to have occurred. Washington did act as Commander-in-Chief. Congress did establish territorial departments, selected their commanders, provided a staff, and moved units between territorial departments as needed. The Continental Army did exercise operational control of the units under it, and those units responded to the unified command structure of the territorial departments and the officers in command of each department. This category is between a low to medium level of integration and will be scored as a 2.5

**Category 6.** Budget issues regarding public goods and burdensharing.

Because the American colonies had no equivalent to the Union of Utrecht as in the Dutch case that created a defensive alliance and outlined the responsibilities of the constituent states for the prosecution and financing of the war, burdensharing was abysmal. The voluntary arrangement of state support immediately created a structural free rider problem that was kept at bay only through the initial printing of money and then by injections of foreign capital. This category must be scored as a zero.

When all of the scores of the categories of the independent variable are taken together (Category 1=0.5, Category 2=1, Category 3=2, Category 4=1, Category 5=2.5, Category 6=0) the result is an average score of 1.16 which indicates a very low level of military integration overall in the case of the American Revolution to Ratification of the Articles of Confederation (1775-1781). The military integration in this case was based on military necessity as Washington (and to a small extent Congress) tried to field a more effective force to fight the British. This military integration was not based on a decision by the constituent states to integrate their military forces or their capacities to produce military



capabilities. Because it was not based on a political decision to integrate it could only have a limited effect and did not cause a tipping point to occur to form an ASC.

Furthermore, Congress did not act as a government during this period but acted as an assembly of state representatives. A close analogy for Congress during this period would be NATO's North Atlantic Council (NAC). The NAC meets as a multinational representative political body requiring unanimity for its decisions but also is tasked to fund and coordinate military activities up to and including combat. With no government and a very low level of integration this does not meet the requirements to be an Amalgamated Security Community in this paper.<sup>505</sup> During the American Revolution to the Ratification of the Articles of Confederation (1775-1781), what existed was a Pluralistic Security Community. The evolution of the security community of the American Colonies began long before 1775 and follows the phases outlined by Emmanuel Adler and Michael Barnett.<sup>506</sup> A "nascent community" could be said to have been created out of the French and Indian War in which Provincial units were used to augment the British regular army and help adjacent states, and the response to the imposition of the Currency, Revenue (Sugar) Acts and Stamp Act that led to the Stamp Act Congress in 1765. An "ascendant" pluralistic security community can be seen developing from the Townshend Acts and Boston Massacre in 1770, through the Tea Act of 1773 and the response by all the colonies to prevent the tea ships from docking, to the Coercive Acts and the First Continental Congress' boycott (the Continental Association) of 1774, and the forming of the Committees of Correspondence as an enforcement mechanism. It was also in 1774 that the Congress noted domestic arms manufactures and the various colonies began collecting arms and ammunition and organizing their forces for a fight. The entity that fought the British during the American Revolution to Ratification of the Articles of Confederation (1775-1781) was a "mature" pluralistic security community. By the end of this period it was moving from a loosely coupled pluralistic security community toward becoming a tightly coupled security community. Although there was evidence of

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<sup>505</sup> The operational definition in this paper for an Amalgamated Security Community is: *Amalgamated Security Communities are states (de facto or de jure) composed of two or more previously independent political entities that have integrated a portion of their respective militaries and that have voluntarily and formally merged so that they are subject to some form of common government.*

<sup>506</sup> Adler and Barnett, eds., *Security Communities*, 50-57.

cooperative and collective security, policy coordination against “internal” threats, free movements of populations, and a high level of military cooperation, there was no internationalization of authority (authority vested in Congress) nor was there a “Multiperspectival” polity (rule shared at the national, transnational, and supranational levels) and that prevents this paper from describing it as a tightly coupled security community. That happened with the ratification of the Articles of Confederation.

### **3-3 a. Selected History of Events under the Articles of Confederation (1781- 1789)**

Although Congress approved the Articles of Confederation in November 1777, it was not until 1 March of 1781 that they were finally ratified. The holdout was Maryland that insisted that those states with claims to lands in the Northwest that had been ungranted “Crown land” should cede them to be administered by Congress. When Virginia finally ceded the land it was with the stipulation that the land should be formed into “republican states” with the same rights of sovereignty and independence as the other states.<sup>507</sup> Following Yorktown, during the last two years of the Revolution prior to the peace treaty, the Continental Army did not engage in any major battles.<sup>508</sup>

Congress was under considerable financial pressure and began cutting costs in early 1782. By April it had begun to reduce the number of authorized officers as well as eliminating the Army's support structure. It also began the process of disbanding the navy starting with the first American built ship of the line just as it was completed. On 24 March 1783 Congress ordered the recall of all armed ships sailing under American authorization, and on 11 April declared a cessation of hostilities on sea as well as on land. By August 1785 the last armed American vessel was sold, thereby eliminating the naval forces of America.<sup>509</sup> 1783 was a crucial year. The first critical event was the Newburgh Mutiny in March; significant because it was proposed as a mutiny of the entire army. As Congress tried to cut costs, some wanted to dismantle the Continental Army. A portion of the army encamped in Newburg NY., feared that they would be dismissed without receiving pay or pensions due them and sent a message to Congress

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<sup>507</sup> Richard Morris, *The Forging of the Union 1781-1789*. (New York: Harper & Row, 1987), 227.

<sup>508</sup> Ketchum et al. eds., *The American Heritage Book of the American Revolution*, 361-364.

<sup>509</sup> In September of 1782 the U.S. 74-gun ship of the line *America* was given to the King of France, to replace the *Magnifique*, a French 74-gun, ship of the line lost in Boston Harbor. Paullin, *The Navy of the American Revolution*, 245-249.

noting the lack of pay.<sup>510</sup> One of General Gates' aides wrote an anonymous address (which Gates approved) to the Continental Army that became public. This first Newburgh Address was mutinous in tone and highlighted the ingratitude of the nation towards the soldiers and called on the army to take action. The second Newburgh Address implied Washington supported taking action against Congress. At a meeting on 15 March Washington was able to diffuse the crisis.<sup>511</sup> On 11 April 1783, a cessation of hostilities on land and sea was announced by Congress which effectively ended the conflict although British troops remained in New York City until November. There was increased pressure to completely disband the Continental Army but it was decided enlistments would not expire until a final peace treaty was signed, but the Commander-in-Chief could furlough the troops at his discretion. If there was a problem with the peace negotiations they could rapidly recall the army. The furloughs began in June 1783. Washington kept 5 artillery companies, six infantry regiments, and a provisional light regiment on active duty; the remainder of the Continental Army went home. Washington resigned his commission as Commander-in-Chief on 23 December.<sup>512</sup>

Another significant event that soured civil-military relations occurred on 21 June of 1783 when mutinous troops from Pennsylvania's third regiment along with Philadelphia militia troops surrounded the building where Congress was meeting and demanded that their complaints be addressed immediately. This forced Congress to leave Philadelphia and reconvene in Princeton where they thought they would be protected. At this time General Henry Knox, suggested the creation of a veterans fraternal order called "The Society of the Cincinnati" to be headed by General Washington. The idea would be to create a fund for soldiers' widows and orphans, provide a venue to maintain the friendships forged during the war, and to promote a closer union among the states. Membership was limited to Continental officers and on their death their oldest son or collateral descendants if no sons survived. Opposition to what was seen as an

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<sup>510</sup> Morris, *The Forging of the Union 1781-1789*, 43.

<sup>511</sup> Various Congressmen, officials and army officers (including; Hamilton, Madison, Gouverneur Morris, etc...) who favored a strong government wanted to use the threat of the issue of the army's overdue pay to push Congress to create a stronger government. See; Morris, *The Forging of the Union 1781-1789*, 44-48. See Also; Royster, *A Revolutionary People at War*, 333-337.

<sup>512</sup> Wright, *The Continental Army*, 179-180.

attempt to create a hereditary aristocracy was swift and significant. Most state legislatures condemned it and Benjamin Franklin even called it an attempt to create hereditary knights. In the face of overwhelming criticism the society quickly changed its rules.<sup>513</sup> Doubts about its intentions and more importantly the antipathy towards keeping a standing army was increased by the confluence of the three events; the Newburg Address, the Philadelphia mutiny and flight of Congress, and the Society of the Cincinnati.

On 3 September 1783 the Treaty of Paris was signed. Article I recognizes the United States *in the plural* as independent and sovereign *states*.<sup>514</sup> Article VII is also written to indicate a peace between Brittan and a plurality of states; “There shall be a firm and perpetual peace between his Britannic Majesty and the said states...” Despite the almost universal claim that the Treaty of Paris recognizes the United States as a sovereign and independent state the language is clear that it does not do so but rather treats the various states as the entities that are recognized as sovereign. This is seen particularly in the language of Article V which clearly indicates that there is no central government or singular sovereign entity called the United States but rather that Congress will recommend certain legislative actions to the various states. Congress is not seen as having standing to change any law or to take any action under the treaty.<sup>515</sup> What Congress was able to do as the agent of the states was to approve the final treaty on 14 January 1784 (once it was able to obtain a quorum) officially ending the war.

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<sup>513</sup> Ibid., 50-52.

<sup>514</sup> “His Brittanic Majesty acknowledges the said United States, viz., New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Maryland, Virginia, North Carolina, South Carolina and Georgia, to be free sovereign and independent states, that he treats with them as such, and for himself, his heirs, and successors, relinquishes all claims to the government, propriety, and territorial rights of the same and every part thereof”. Yale Law School, Avalon Project; Documents in Law, History, and Diplomacy. *The Paris Peace Treaty of September 30, 1783.*; available from [http://avalon.law.yale.edu/18th\\_century/paris.asp](http://avalon.law.yale.edu/18th_century/paris.asp) Internet; accessed 13 February 2010. (underline by this author) See also; Richard Brown, ed., “Provisions of the Peace Treaty of Paris, 1783.” in *Major Problems in the Era of the American Revolution 1760-1792*, (Lexington, Mass.: D.C. Heath and Company, 1992), 235-238.

<sup>515</sup> “It is agreed that Congress shall earnestly recommend it to the legislatures of the respective states to provide for the restitution of all estates, rights, and properties, which have been confiscated belonging to real British subjects;” “and that Congress shall also earnestly recommend to the several states a reconsideration and revision of all acts or laws regarding the premises, so as to render the said laws or acts perfectly consistent not only with justice and equity but with that spirit of conciliation which on the return of the blessings of peace should universally prevail. And that Congress shall also earnestly recommend to the several states that the estates, rights, and properties, of such last mentioned persons shall be restored to them...” Ibid. (underline by this author)

Border disputes began to arise between the states. Article 6 of the Articles of Confederation forbids any two or more States entering into any treaty without the prior consent of “the United States in Congress assembled” that specifies the purpose and duration of the treaty. There were several instances of Article 6 being ignored and the states acting as sovereigns to create separate agreements (treaties) between them. The most famous was between Virginia and Maryland dealing with jurisdictions over the Potomac River to make the river navigable. An agreement called the Mount Vernon Compact with added provisions regarding the Chesapeake Bay was approved by the two states and Delaware and Pennsylvania were asked to join in adopting the treaty. Congress was concerned about what some viewed as an invalid treaty. This led to Virginia and Maryland calling for another meeting at Annapolis in 1786 to discuss developing a system for the regulation of commerce beneficial to all states.<sup>516</sup> Without representatives from a majority of the states the delegates were only able to send a report to Congress and the various state legislatures calling for a future Convention to regulate trade and adjust the Federal System.<sup>517</sup> By September 1787 this convention submitted the final draft of a Constitution to Congress. Another critical event was Shays' Rebellion; an armed revolt of farmers in western Massachusetts. Following attacks on courthouses in numerous locations, the Secretary of War, Henry Knox, could not acquire funding to use the small force of remaining Continental troops to fight the revolt; neither could the state of Massachusetts afford to raise troops. General Lincoln the state militia commander called on the wealthy to provide money to fund a state force and was able to call out four thousand militia. In defending the Springfield Arsenal it dispersed Shays group of regulators with cannon ending Shays' Rebellion on 25 January 1787. Shays' Rebellion spread beyond Massachusetts and fueled a wave of backcountry resistance to tax and debt collection from New England through the middle states down to South

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<sup>516</sup> Morris, *The Forging of the Union 1781-1789*, 247-252.

<sup>517</sup> Yale Law School, Avalon Project; Documents in Law, History, and Diplomacy. Proceedings of Commissioners to Remedy Defects of the Federal Government Annapolis in the State of Maryland September 11th 1786; available from [http://avalon.law.yale.edu/18th\\_century/annapoli.asp](http://avalon.law.yale.edu/18th_century/annapoli.asp) Internet; accessed 13 February 2010

Carolina. This in turn influenced the Convention in Philadelphia where delegates realized they needed a national military force, or at a minimum for Congress to have the authority and means to raise an army.<sup>518</sup>

The final critical event in 1787 was the passage of the Northwest Ordinance by Congress in July. The Northwest Ordinance is the greatest achievement of the Congress under the Articles of Confederation. It was a revision of ordinances passed in 1784, and 1785 designed to provide government to the Northwest Territory (territory north and west of the Ohio River) acquired in the Treaty of Paris and also outlined the procedure for new states to be admitted into the Confederation. The territory and then state could not however, interfere with land sales conducted by Congress.<sup>519</sup> It was these land sales that allowed Congress to pay off its foreign and domestic debts incurred during the revolution since it had no other way to raise revenue.<sup>520</sup>

The new Constitution was ratified by the ninth state on 21 June, 1788 making it binding according to Article VII. The new Congress under the Constitution began in March 1789 ending the period of the Confederation.

### **3-3 b. The Government**

Congress was the only “national” level governmental organ under the Articles of Confederation. It could not however, act as sovereign because sovereignty under the Articles of Confederation resided in each of the various states. This was specified in Article II “Each state retains its sovereignty, freedom, and independence, and every power, jurisdiction, and right, which is not by this Confederation expressly delegated to the United States, in Congress assembled.” This wording, *expressly* delegated to it, was specifically meant to prevent sovereignty from being transferred to Congress from the states.<sup>521</sup> The Articles of Confederation created a government wherein the state governments retained sovereign power

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<sup>518</sup> Morris, *The Forging of the Union 1781-1789*. 258-265.

<sup>519</sup> Ibid., 227-323. See Also; Yale Law School, Avalon Project; Documents in Law, History, and Diplomacy. *Northwest Ordinance; July 13, 1787*; available from [http://avalon.law.yale.edu/18th\\_century/nworder.asp](http://avalon.law.yale.edu/18th_century/nworder.asp) Internet; accessed 13 February 2010

<sup>520</sup> Morris, *The Forging of the Union 1781-1789*, 223-226.

<sup>521</sup> Ibid., 87-89.

and the central government was their creature.<sup>522</sup> It has already been demonstrated that the Treaty of Paris recognized the sovereignty of the states since Congress had no legal standing to enact the provisions of the treaty and that peace was concluded with a plurality of named states, not a singular United States. Various provisions of the Articles of Confederation were ignored by the states with impunity, particularly the prohibition on making treaties without the consent of Congress.

What the Articles of Confederation did accomplish was to create a formal defensive alliance among the states in Article III: “The said States hereby severally enter into a firm league of friendship with each other, for their common defense, the security of their liberties, and their mutual and general welfare, binding themselves to assist each other, against all force offered to, or attacks made upon them, or any of them, on account of religion, sovereignty, trade, or any other pretense whatever.” Since the Articles of Confederation set up a defensive alliance one of the powers expressly given to Congress (Article IX) was “the sole and exclusive right and power of determining on peace and war”. Article VI then goes on to prohibit states from entering into any war without the consent of Congress (except to defend against invasion) in order to limit the liability of the other states to actions by one state to drag them all into a war. This limit applied to treaties/alliances/embassies with foreign powers for the same reason. Nor could a state impose customs duties that would interfere with established treaties. States could only keep a few ships during times of peace unless it was “infested by pirates” and only enough land forces to “garrison the forts necessary for the defense” of each state. The purpose of these limitations was to preserve the defensive nature of the alliance and ensure that any war was endorsed by the majority of the Confederation and undertaken in accordance with the directions of Congress. The states however, were required to have “a well-regulated and disciplined militia, sufficiently armed and

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<sup>522</sup> “Congress's acceptance of Burke's formulation has led scholars to conclude that "the men who wrote the Articles of Confederation created a federal government wherein the state governments retained sovereign power and the central government was their creature" "the Articles were intended to create a confederation of sovereign states, individually free to accept or reject congressional measures as each saw fit. . . . Since Congress lacked general legislative authority, and was forced to convey its policy decisions to the states in the form of recommendations and requisitions, . . . the framers of the Articles must have realistically anticipated that the states would exercise their discretion in choosing whether to obey and implement specific measures." Jillson and Wilson, “A Social Choice Model of Politics: Insights into the Demise of the U. S. Continental Congress,” 8.

accoutered, and shall provide and constantly have ready for use, in public stores, a due number of field pieces and tents, and a proper quantity of arms, ammunition and camp equipage.” This force would be the means to conduct a defensive war; as was happening in the ongoing Revolutionary War. In addition to determining peace and war, the Articles of Confederation expressly gave the United States in Congress assembled, the power to conduct foreign affairs, i.e. send and receive ambassadors and enter into treaties and alliances. Congress could not prohibit the imposition of customs duties by the states equal to those on its own citizens; nor could Congress impose any embargoes. This made any attempt to regulate trade almost impossible since Congress had no ability to harmonize conflicting state customs duties.<sup>523</sup> In addition to the freedom to travel and engage in commerce throughout all of the states, Article IV included reciprocal recognition of all legal proceedings between the states as well as the guarantee of extradition of criminals who fled across state lines. This can be seen as providing a legal basis for eventual common citizenship and an eventual common market under the Constitution. One of the most critical sections of the Articles of Confederation was Article VIII that took on the debt from the war.<sup>524</sup> Under severe financial and political pressure Congress tried to move towards a coercive national tax but could not because it did not have the authority to do so on its own.<sup>525</sup> In February 1781 Congress approved a proposal for a national tax (an impost) on imported goods. Rhode Island refused to approve it and the

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<sup>523</sup> The other powers that were expressly granted to Congress included; regulating the value of coin money, standardizing weights and measures, regulating trade and managing affairs with Indians not inside the boundaries of any state, managing the post offices, appointing all officers of the naval forces and Generals in the land forces, writing regulations for land and naval forces, granting letters of marque, establishing rules for prizes taken by land or naval forces, appointing courts for pirates, and acting as a court of appeal in border disputes. Richard Brown, ed., “The Articles of Confederation” in *Major Problems in the Era of the American Revolution 1760-1792*, (Lexington, Mass.: D.C. Heath and Company. 1992), 390-397. See Also; Yale Law School, Avalon Project; Documents in Law, History, and Diplomacy. *Articles of Confederation : March 1, 1781*; available from [http://avalon.law.yale.edu/18th\\_century/artconf.asp](http://avalon.law.yale.edu/18th_century/artconf.asp) Internet; accessed 23 February 2010

<sup>524</sup> Ibid.

<sup>525</sup> “The Articles of Confederation clearly defined the institutional relationship between the states and Congress. The states were to be free and independent while Congress had only limited and well specified powers. Any alteration by amendment of this structure which enhanced the powers of Congress could come only at the expense of the sovereignty of the states. To avoid this happening without the consent of the states, the framers had incorporated a decision-making rule for Congress requiring unanimity among the states to amend the articles. Granting the power of taxation to Congress would therefore require the unanimous consent of the states.” Baack, “Forging a Nation State: The Continental Congress and the Financing of the War of American Independence,” 648



initiative died. In April 1783 Congress again passed a national impost (customs duties) proposal but New York rejected it.<sup>526</sup>

Congress's inept handling of the war has already been noted. There were however, on occasion, functions that were entrusted to an individual heading an administrative department that worked. The notable ones included Treasury under Robert Morris after 1781, Benjamin Lincoln and Henry Knox as Secretary of War, Robert Livingston and John Jay as Secretary for Foreign Affairs, and the Post office.<sup>527</sup> The creation of these administrative organs was bolstered by a small bureaucracy developed to handle land sales and administer the Northwest Ordinance. These administrative organs were carried over and continued to function under the new Constitution. The administration of land under the Northwest Ordinance and land ceded by the states to congress created a "national domain" similar to the "Generality Lands" in the Dutch case and was a significant achievement under the Articles. These administrative organs, although limited in size and scope, provided a skeleton to build a new government. This continuation of administration and staffs developed under the Articles allowed the new national government to begin functioning relatively quickly.<sup>528</sup> Although the new constitution was not a revision of the Articles but replaced them, there was an administrative and historical continuity between the Articles of Confederation and the new federal government.<sup>529</sup>

### **3-3 c. Defense Cooperation**

**3-3 c. (1) Demobilization / Dismissal of the Continental Army and its replacement.** The period from 1781 to 1789 under the Articles of Confederation saw a reduction in what limited military integration had been achieved during the Revolutionary War. The financial pressures on Congress pushed it to economize and the beginning of the end for the Continental Army came in 1782 when Congress moved to reduce the size of staff agencies, transferring functions to army officers as part time

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<sup>526</sup> Ibid., 650.

<sup>527</sup> Ibid., 95-97. See Also; Huston, *Logistics of Liberty: American Services of Supply in the Revolutionary War and After*, 281.

<sup>528</sup> Merrill Jensen, "The Achievements of the Confederation" in *Major Problems in the Era of the American Revolution 1760-1792*. ed. Richard Brown (Lexington, Mass.: D.C. Heath and Company, 1992), 406-414.

<sup>529</sup> Calvin H. Johnson, "Homage to Clio: The Historical Continuity from the Articles of Confederation into the Constitution," *Constitutional Commentary* 20, no. 3, (Winter2003/2004): 463-513.

additional duties, as well as eliminating numerous positions providing direct support to the various field armies. Washington acquiesced to the reality that recruiting had fallen to the point where the states could not fill their units, by agreeing that all states would reduce their “line” units to complete regiments.<sup>530</sup> In 1783 a congressional committee was created to explore the idea of a peacetime army. Washington suggested a small Regular Army of four infantry regiments and one of artillery (a little over 2,500 troops) “to awe the Indians, protect our Trade, prevent the encroachment of our Neighbors of Canada and the Floridas, and guard us at least from surprises; also for security of our magazines.”<sup>531</sup> Washington understood that financially a larger peacetime army was not possible and that the militia would have to provide the bulk of the manpower for a peacetime military structure. However, there were defects with the militia system that required attention.<sup>532</sup> Fixing these defects would be included in language calling for a “well regulated militia” and for uniform regulations and training in the constitution.<sup>533</sup> After hostilities ended on 11 April 1783 Washington furloughed large portions of the army. A further reduction was approved in October by Congress that reduced the force on active duty to one artillery company and one provisional regiment at West Point before the end of the year.<sup>534</sup> With the war won, the public mood turned anti-military. In Congress serious debates reflected the view of many people that even a small force for the protection of the settlers and western frontier areas could pose a threat to American liberty.<sup>535</sup> This antagonism stemmed from hatred of the regular British Army and was bolstered by the

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<sup>530</sup> Wright, *The Continental Army*, 177. Department of the Army, Center of Military History, Army Historical Series, United States Army, (Washington, D. C.: U.S. Government Printing Office, 1989),

<sup>531</sup> Morris MacGregor, *American Military History the Formative Years, 1783-1812*. Department of the Army, Center of Military History, Army Historical Series, United States Army, (Washington, D. C.: U.S. Government Printing Office, 1989), 103.

<sup>532</sup> George Washington: “The Militia of this country must be considered as the palladium of our security, and the first effectual resort in case of hostility. It is essential, therefore, that the same system should pervade the whole; that the formation and discipline of the militia of the continent should be absolutely uniform, and that the same species of arms. Accoutrements and military apparatus should be introduced in every part of the United States. No one, who has not learned it from experience, can conceive the difficulty, expense, and vague arrangements which have hitherto prevailed.” Francis Vinton Greene, *The Revolutionary War and the Military Policy of the United States*, (New York: Charles Scribner’s Sons, 1911; reprint, Port Washington. N.Y.: Kennikat Press Inc., 1967) (page citations are to the reprint edition), 294

<sup>533</sup> Note: it also reflects the validity of several categories of the independent variable used in this paper to describe military integration; specifically categories 1, 3, and 4.

<sup>534</sup> Wright, *The Continental Army*, 179-180.

<sup>535</sup> Morris, *The Forging of the Union 1781-1789*, 52-53.

various mutinies (especially the one in Philadelphia), the Newberg affair, and the Society of Cincinnati. By spring of 1784 the issue of a peacetime army was caught up in the disputes between various states' claims to western lands.<sup>536</sup> This dispute ended the attempt to retain part of the Continental Army as a peacetime army. On 2 June 1784 Congress dismissed all of the remaining troops from the Continental Army except for fifty-five caretakers at West Point and twenty-five at Fort Pitt.<sup>537</sup> At this point there was no integrated military force whatsoever; all of the administration and field forces that had been constructed for the Continental Army during the war were gone.

The dismissal of the troops was a particularly dismal point in American history.<sup>538</sup> There were no celebrations, groups of men found their way home to communities in dire economic straits where they were either objects of jealousy or treated with indifference, ignored and forgotten. The half pay pensions promised by Congress were turned into certificates for five years pay but most were sold to speculators for a fraction of their value before Congress had the money to begin payments. Despite the severe hardships suffered by the Continental Army, it was not praised or honored in the aftermath of the war. This was primarily because the public believed that it was a people's war of armed citizenry that won the conflict, not the Continental Army.<sup>539</sup> It was long after the war that the Continental Army veterans got some of the respect and compensation due them.<sup>540</sup> More importantly the belief in a war won by citizen-soldiers (militia) would have a profound effect on military policy and the evolution of the US as an Amalgamated Security Community as the debate between militia and a standing force demonstrates. In the final analysis however, the Continental Army was primarily the field army of an alliance that

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<sup>536</sup> MacGregor, *American Military History, the Formative Years, 1783-1812*, 104.

<sup>537</sup> Wright, *The Continental Army*, 182.

<sup>538</sup> "When Secretary of War Benjamin Lincoln arrived at New Windsor before disbandment, he failed to bring along the Morris notes for three months' pay and even tried to borrow a few dollars to assist officers needing travel money. Impoverished soldiers went home after begging their way and were soon forgotten. The pension claims filed at a much later time remain as mute testimony to the inability of so many of the Revolutionary war veterans to make their adjustments to a peacetime economy. It was almost as though a people's war had been won without the presence of an army." Morris, *The Forging of the Union 1781-1789*, 53.

<sup>539</sup> John Resch, *Suffering Soldiers: Revolutionary War Veterans, Moral Sentiment, and Political Culture in the Early Republic*, (Boston, Mass.: University of Massachusetts Press, 1999), 1-3.

<sup>540</sup> It was not until President James Monroe asked Congress to aid impoverished Revolutionary War veterans in December 1817 that the process of recognizing and aiding them began. *Ibid.*, 97-99

exercised operational control of units and could redeploy them between territorial departments but had various constraints placed on it by the states.<sup>541</sup>

On 3 June, 1784, the day after the dismissal of the last Continental regiment, Congress agreed to create a single regiment of 700 men enlisted for one year, made up of eight infantry companies and two artillery companies. The First American Regiment was composed of troops from four states: Pennsylvania, Connecticut, New York, and New Jersey. Since Pennsylvania provided the most troops it was nominated the commanding officer, while Connecticut and New York were allowed to nominate a major each. Recruitment was done by enlisting volunteers from their militias.<sup>542</sup> The First American regiment was divided, with the New Jersey contingent occupying a fort in upstate New York to watch the Iroquois, while the rest of the unit was sent to Fort MacIntosh to provide security against the Indians of the Ohio valley.<sup>543</sup> All other military requirements were left up to the states and their militias. The state militias were expected to maintain a sufficient level of readiness and were bolstered by the return of many Continental Army veterans.<sup>544</sup> When the enlistments expired in 1785 Congress continued the regiment but made the enlistments for three years and repeated the procedure in 1788 when those enlistments expired.<sup>545</sup> Secretary of War, Henry Knox was concerned by Shays rebellion because no national troops were anywhere near the Arsenal at Springfield to defend it. Eventually two artillery companies were used to garrison the Arsenal at Springfield and West Point.<sup>546</sup> Congress placed the military supply system under civilian control. The Secretary of War was responsible for storage, transportation, and distribution of military supplies while the Treasury Board was responsible for purchasing all military stores, including

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<sup>541</sup> “The Continental Army was responsible to the Congress, but it consisted of troops raised and sustained by the individual states. Congress could not enforce the quotas it set for each state, and control of the purse strings allowed the state legislatures to retain a final say in many areas of military matters.” Robert Wright and Morris MacGregor, *Soldier-Statesmen of the Constitution*, Department of the Army, Center of Military History, United States Army (Washington, D. C.: U.S. Government Printing Office, 1987), 27.

<sup>542</sup> MacGregor, *American Military History, the Formative Years, 1783-1812*, 105. See Also; Wright and MacGregor, *Soldier-Statesmen of the Constitution*, 29. Also; Wright, *The Continental Army*. 183.

<sup>543</sup> MacGregor, *American Military History, the Formative Years, 1783-1812*, 105.

<sup>544</sup> Wright and MacGregor, *Soldier-Statesmen of the Constitution*, 29.

<sup>545</sup> Allan Millett and Peter Maslowski, *For the Common Defense: A Military History of the United States of America* (New York: The Free Press, 1994), 92.

<sup>546</sup> Wright and MacGregor, *Soldier-Statesmen of the Constitution*, 32.

food and clothing.<sup>547</sup> The small collective military force under the Articles of Confederation created to replace the Continental Army was at best a garrison force to provide an initial defense against Indian tribes in Ohio and New York, and to guard key installations like West Point and the Springfield Arsenal. In no way could this force be considered an integrated force or one that could conduct any military operation without significant augmentation from the forces of one or more state militias.

**3-3 c. (2) The great argument: Standing Army vs. Militia.** This was the critical debate and had far reaching consequences for the evolution of the United States as an Amalgamated Security Community. This debate involved not only the question of how to produce military capability or where the capacity to produce military capability would be located, but it also included the question of jurisdiction over military forces and who could control those forces. This issue then was also directly tied to the concept of state sovereignty, and the question of the right of secession that will be covered later.

This argument regarding a standing army vs. militia was, according to Samuel Huntington, “essentially the extension into the military realm of different political beliefs;” i.e. a federalist conservatism that supported an aristocratic officer class and lower class enlisted soldiers and a liberal republicanism that believed in defense provided by citizen soldiers whose officers were chosen from the citizenry which reduced the social cleavage between officer and enlisted. The preference for the militia was wide spread and politically powerful. The militia was seen as the primary defense force for the republic and the inclusion of provision for even a temporary standing army in the constitution was strongly opposed.<sup>548</sup>

Today the history of the Revolutionary War often gives place of primacy to the Continental Army and refers to the militia using Washington’s often quoted phrase “To place any dependence upon Militia, is, assuredly, resting upon a broken staff.”<sup>549</sup> In Washington’s view “Short enlistments, and a mistaken

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<sup>547</sup> MacGregor, *American Military History, the Formative Years, 1783-1812*, 108

<sup>548</sup> Samuel Huntington, *The Soldier and the State: The Theory and Politics of Civil-Military Relations* (Cambridge, Mass.: The Belknap Press of Harvard University Press, 2001), 166-167.

<sup>549</sup> General George Washington Asks Congress for an Effective Army, 1776, Letter to John Hancock, President of Congress, in *Major Problems in the Era of the American Revolution 1760-1792*, ed. Richard Brown (Lexington, Mass.: D.C. Heath and Company, 1992), 196.

dependence upon militia, have been the origin of all our misfortunes and the great accumulation of our debt.”<sup>550</sup> This has become the predominant view of the militia during the Revolution.<sup>551</sup> Most Americans during and immediately following the war believed it was the militia, conducting a peoples’ war that had beaten the British, not the Continental Army.<sup>552</sup> The concept of the revolution was as a people’s war in which the sacrifice and suffering of “the people” (mothers, fathers, and sisters) who endured the hardships of the struggle for independence along with young men who were “citizen soldiers” were the ones who defeated the British in an uprising of the “virtuous citizenry”.<sup>553</sup> This support for the militia is understandable for a practical reason, all free males were subject to the militia, and it existed in all communities, while providing the combined functions of a draft board, basic training unit, and reserve combat unit. Militia forces fought in the vast majority of the engagements throughout the war against loyalist/Tory forces, Indians, and British raiding/foraging parties as well as supporting the Continental Army in major battles.<sup>554</sup> The debate in Congress began during the war, especially following the victory at Saratoga, where Gates defeated the British with a force made up of two thirds militia troops.<sup>555</sup> This caused an enduring policy debate in the financially challenged Congress regarding the virtues of the militia over a standing army.<sup>556</sup> For many Americans the militia was the only defense establishment required following the Revolution.<sup>557</sup>

In contrast to the support for the militia, there was a clear animosity against professional armies. “Detestation of the word army was not alone an inherited prejudice, but a vital fundamental principle in

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<sup>550</sup> Francis Vinton Greene, *The Revolutionary War and the Military Policy of the United States*, (New York: Charles Scribner’s Sons, 1911; reprint, Port Washington. N.Y.: Kennikat Press Inc., 1967) (page citations are to the reprint edition), 292.

<sup>551</sup> Don Higginbotham, “The Strengths and Weaknesses of the Militia.” in *Major Problems in the Era of the American Revolution 1760-1792*, ed. Richard Brown (Lexington, Mass.: D.C. Heath and Company, 1992), 239-240.

<sup>552</sup> Royster, *A Revolutionary People at War: The Continental Army and American Character, 1775-1783*, 359-360.

<sup>553</sup> Resch, *Suffering Soldiers: Revolutionary War Veterans, Moral Sentiment, and Political Culture in the Early Republic*, 3.

<sup>554</sup> Higginbotham, “The Strengths and Weaknesses of the Militia,” 242-245

<sup>555</sup> Wright, *The Continental Army*, 118.

<sup>556</sup> *Ibid.*, 121.

<sup>557</sup> “Had we a standing army when the British invaded our peaceful shores? Was it a standing army that gained the battles of Lexington and Bunker Hill, and took the ill-fated Burgoyne? Is not a well- regulated militia sufficient for every purpose of internal defense? And which of you, my fellow citizens, is afraid of any invasion from foreign powers that our brave militia would not be able immediately to repel?” Antifederalist No.29, *The Antifederalist Papers*, ed. Morton Borden (East Lansing, MI.: Michigan State University Press, 1965), 77.

the political faith of the day.”<sup>558</sup> The Newberg affair, the Society of Cincinnati and various mutinies in the Continental Army worked to reinforce this perception.<sup>559</sup> Animosity against the Continental Army also came from resorting to confiscation of private property during the war.<sup>560</sup> Washington noted “our countrymen and fellow citizens dread our halting among them, even for a night, and are happy when they get rid of us.”<sup>561</sup>

“When Jefferson began his presidency, Revolutionary veterans enjoyed an honored, but not privileged, place in society. Their status reflected the popular perception of the Revolution as a people’s war, and of soldiers as a band of the people. The Continental Army was not included in that concept, however. The army was perceived as a necessary evil, its ranks filled with rabble and men ambitious for power and preferment. Exceptional leaders had kept the army in check. This prevailing view of the war supported the republican creed that regular armies, including the Continental Army, threatened liberty.”<sup>562</sup>

The animosity against maintaining a standing army was one of the main points of contention during the process of creation as well as ratification of the Constitution. The primary problem facing the convention was the issue of power; how it was distributed and who controlled it. This meant the issue of control over military forces, militia, navy, and especially a standing army, were at the center of the debate on creating a stronger central government; at least as much as financial authority/taxation and regulation of commerce. The opposition to a strong central government and animosity towards a standing army became intertwined.<sup>563</sup> The Anti-federalist’s made several arguments against the Constitution based on opposition to a standing army. One argued that “the *president general* will be a *king* to all intents and purposes, and one of the most dangerous kind too--a king elected to command a standing army.” Others argued that standing armies were dangerous to liberty not only because rulers use them to impose their will and keep themselves in power but also from the danger of military coup d’état. The power given

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<sup>558</sup> Greene, *The Revolutionary War and the Military Policy of the United States*, 285-287. See Also; Hamilton Federalist No. 26, *The Federalist Papers*, ed. Clinton Rossiter (New York: Penguin Group Inc., 2003), 165-166.

<sup>559</sup> Higginbotham, “The Strengths and Weaknesses of the Militia,” 358.

<sup>560</sup> General George Washington Explains Army Problems and Calls for Help, 1780, in *Major Problems in the Era of the American Revolution 1760-1792*, ed. Richard Brown (Lexington, Mass.: D.C. Heath and Company, 1992), 225-226.

<sup>561</sup> Royster, *A Revolutionary People at War*, 72-74

<sup>562</sup> Resch, *Suffering Soldiers*, 197.

<sup>563</sup> Isaac Kramnick, “The Main Themes of Constitutional Discussion”, in *Major Problems in the Era of the American Revolution 1760-1792*. ed. Richard Brown (Lexington, Mass.: D.C. Heath and Company, 1992), 556-559. See Also; Wright and MacGregor, *Soldier-Statesmen of the Constitution*, 33. See Also; MacGregor, *American Military History, the Formative Years, 1783-1812*, 106-107.

Congress to raise armies and to fund themselves with taxes led others to argue that Congress could threaten any opposition under the excuse of “suppressing insurrections”, or if the President so chooses to send the militia of any state to force compliance to central government demands, or that “a standing army, composed of the purgings of the jails of Great Britain, Ireland and Germany, shall be employed in collecting the revenues of this our king and government”.<sup>564</sup> Their argument was grounded in suspicion and distrust of standing armies that were believed to be inherently disposed to being a threat to the people and to liberty.<sup>565</sup> To counter these objections Hamilton devoted a significant part of his arguments in the *Federalist Papers*, to explaining the need for a Navy (Federalist No. 11 & 24); why state military forces would be more dangerous (Federalist No. 8 & 16); why the militia should be controlled by Congress (Federalist No. 29), and why there should be a standing army answerable to Congress that would not be a danger to the republic (Federalist No. 23 through 28). Madison also reviewed the arguments in favor of federal military power in Federalist No. 41 & 46.<sup>566</sup>

When the Constitution was adopted it allowed Congress to raise and support navies and armies and establish rules for regulating them. Congress also could “call forth the militia” and provide regulations for “organizing, arming, and disciplining the militia” when it was in national service. This would seem to indicate that those favoring a standing army and national control over the militia won the argument. That was not the case. The general antipathy towards a standing army did not dissipate, and placed a significant political constraint on the central government that precluded the establishment of any strong standing army for over a century. The “standing army” did not have an automatic fiscal allocation but required constant Congressional approval since money cannot be appropriated for more than two

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<sup>564</sup> *The Antifederalist Papers*, ed. Morton Borden (East Lansing, MI.: Michigan State University Press, 1965), No. 74, p. 212; No. 24, p. 62; No. 25, p. 66; No. 8, p. 18; No. 26, p. 70; No. 27, p. 73; No. 29, p. 77.

<sup>565</sup> “When they unprecedentedly claim the power of raising and supporting armies, do they tell you for what purposes they are to be raised? How they are to be employed? How many they are to consist of, and where to be stationed? Is this power fettered with any one of those restrictions, which will show they depend upon the militia, and not upon this infernal engine of oppression to execute their civil laws?” “Every writer upon government-- Locke, Sidney, Hampden, and a list of others have uniformly asserted, that standing armies are a solecism in any government; that no nation ever supported them, that did not resort to, rely upon, and finally become a prey to them.” “There is no instance of any government being reduced to a confirmed tyranny without military oppression. And the first policy of tyrants has been to annihilate all other means of national activity and defense, when they feared opposition, and to rely solely upon standing troops.” *Ibid.*, No. 28, p. 74

<sup>566</sup> *The Federalist Papers*, ed. Clinton Rossiter (New York: Penguin Group Inc., 2003)



years to support any army. The result of this condition was that the army was seen to be a temporary force created to deal with an emergency.<sup>567</sup> More importantly, although states could not maintain a navy, they kept their militias. The attempt to have a nationalized militia failed. The Constitution gives the states the right to appoint militia officers and to train the militia and specifically notes the need for a well regulated militia. The result was that multiple land forces were institutionalized by the Constitution; the state militias and the federal army.<sup>568</sup> Furthermore, the capacity to produce military capability was retained in multiple locations subject to multiple jurisdictions and had profound consequences for the development of the U.S. as an Amalgamated Security Community.

### **3-3 d. Measuring Independent Variable – The degree of integration of military capabilities and the capacity to produce military capability**

During the period of the Articles of Confederation, there was a movement from the low level of military integration achieved during the Revolutionary War to support the Continental Army, to almost no integration at all as Congress dismissed the Continental Army. It is a relatively simple task to measure the independent variable by category in the case of the Articles of Confederation (1781- 1789).

**Category 1** - Military forces; consisting of administrative staffs and operational forces.

The administrative and operational forces during this period were disbanded and replaced with what can only be described as a force of security guards and minor garrison units unable to conduct operations without significant augmentation by state militias. Military forces therefore in this case can not be seen as integrated and are scored as a 0.

**Category 2.** Arms production and Technology as a factor in arms production.

The source for weapons during this period was the leftovers from the Revolution stored in various locations. Production was not needed except for gunpowder. There was no integration and this category is scored as a 0.

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<sup>567</sup> “Our main reliance was to be on the militia and on such armies as could be improvised when war breaks out” Greene, *The Revolutionary War and the Military Policy of the United States*, 295-296.

<sup>568</sup> U.S. Constitution. See Also; Millett and Maslowski, *For the Common Defense: A Military History of the United States of America*, 93.

**Category 3.** Military technology as a factor in operational (combat) forces.

The large numbers of French muskets still provided a standard weapon. The artillery pieces by this point were also standardized from the imports during the war. All the rifles and muskets were muzzle loading flintlocks at the same level of technological development. For this reason it can be viewed that the small First American regiment and the state militias all had common basic equipment which is a low level of integration and is scored as a 2.

**Category 4.** Creation of combat power; Doctrine, Training, Leader Development, Organization, Materiel, and Soldiers. (DTLOMS)

The “Blue Book” was all that remained of anything like a standard doctrine. The states continued to produce combat power using the militia system. However, the numerous Continental Army veterans that rejoined local militias that helped to insure that the Blue Book remained the standard during this period. On the other hand there was no need for the large unit maneuvers that were a significant portion of the Blue Book. There was still a difference in how units trained and organized for frontier duty against the Indians. Leaders for the First American regiment that replaced the Continental Army were selected by the states. Material had become more standardized by using French arms. Recruitment depended on the states with the militia system as its basis. The states produced the units for First American regiment by recruiting from their militia as well as the additional companies recruited as garrison forces. Soldier’s food, clothing, and medical care were now dependent on local purchases by contract since the administrative support functions were disbanded. Soldier pay in the First American regiment was dependent on Congress (other than their chain-of-command, this was what made them a “national” force). The integration achieved by Steuben as Inspector General was eliminated as the army disbanded. This category can not be seen as integrated except in an extremely limited way and can only be scored as a 0.5.

**Category 5.** Use and sustainment of military forces; Command and Control (C2) Communications, Logistics.

The logistic sustainment of the force was not integrated and reverted to a local contract method for the First American Regiment. Communications between territorial departments vanished with the

disbanding of the army. Command and control likewise reverted to state control over their militias with the dismissal of the army. The only integrated Operational Control that was exercised was over the First American regiment by Henry Knox but that unit's location in the wilderness necessitated the recruitment of two additional garrison companies. Therefore this category can be seen as being at a very low level of integration and will be scored as a 0.5.

**Category 6.** Budget issues regarding public goods and burdensharing.

There was no burdensharing and this category must be scored as a zero.

When all of the scores of the categories of the independent variable are taken together (Category 1=0, Category 2=0, Category 3=2, Category 4=0.5, Category 5=0.5, Category 6=0) the result is an average score of 0.5 which indicates an almost non-existent level of military integration overall in the period under the Articles of Confederation.

This is less than half the score of 1.16 for a very low level of military integration determined in the previous period (1776-1781). With no government and an almost non-existent level of military integration this case does not meet the requirements to be an Amalgamated Security Community in this paper.<sup>569</sup> Under Articles of Confederation what existed was a Pluralistic Security Community. Moreover, this Security Community that had evolved in the previous case from a “nascent community” through an “ascendant” to a “mature” pluralistic security community, evolved further from a loosely coupled pluralistic security into a tightly coupled pluralistic security community under the Articles of Confederation. Before the Articles of Confederation there was a movement towards the United States becoming a tightly coupled security community. There was evidence of cooperative and collective security, policy coordination against “internal” threats, free movements of populations, and a high level of military cooperation. The Articles of Confederation that provided the formal declaration of an alliance, the reservation to Congress of various authorities (to declare war and peace, to negotiate treaties etc...)

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<sup>569</sup> The operational definition in this paper for an Amalgamated Security Community is: *Amalgamated Security Communities are states (de facto or de jure) composed of two or more previously independent political entities that have integrated a portion of their respective militaries and that have voluntarily and formally merged so that they are subject to some form of common government.*

and the sharing of various authorities, shows there was an internationalization of authority (authority vested in Congress) so that there was a “Multiperspectival” polity (rule shared at the national, transnational, and supranational levels) which allows it to be described as a tightly coupled security community meeting the requirements noted by Adler and Barnett.<sup>570</sup>

This case also illustrates the point regarding the need to substitute military cooperation in lieu of military integration in the description of tightly coupled security communities to make the definition more precise and correspond better with multiple actors in a pluralistic security community. What is seen in the case of the Articles of Confederation that supports this argument is the decrease in military integration to an almost non-existent level in no way impacts the continued military cooperation required by the formal defensive alliance established under the Articles of Confederation. This lack of military *integration* does not prevent the United States under the Articles of Confederation from continuing to evolve into a tightly coupled pluralistic security community. There was a continued high level of military cooperation (e.g. the states provided the officers and units for the First American regiment) while military integration disappeared after the war. It was the establishment of a government under the constitution with the ability to tax and raise armies/navies that moved the United States from a tightly coupled pluralistic security community to a partially integrated ASC.

#### **3-4 a. Selected History of the United States as a Partially Integrated Amalgamated Security Community under the Constitution; 1789 to the Civil War 1861.**

Throughout this period the capacity to produce military capability was retained in multiple locations subject to multiple jurisdictions. Having more than one authority with jurisdiction over the creation of military capabilities and the capacity to produce military capability within an Amalgamated Security Community is what defines it as “partially integrated”. The Constitution enshrined the multiple jurisdictions with the capacity to create military capabilities by providing for both a congressionally supported regular army and the state militias. The key points in this section focus on the issues directly relating to these multiple jurisdictions with the capacity to create military capabilities.

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<sup>570</sup> Adler and Barnett, eds., *Security Communities*, 50-57.

To combat the Indian threat in the Northwest Territory, Washington called for an increase in the regular army in his first address to Congress then ordered the army to attack the Indians. After several failed expeditions Congress doubled the size of the army which then defeated the Indians at the battle of Fallen Timbers. The Indians signed a treaty in August 1795 ceding the lands in the Ohio River valley to the U.S.<sup>571</sup> This campaign demonstrated the utility of maintaining at least some regular troops, and ensured that a small regular army would become permanent.

The next important event was the passage of the Militia Act by Congress in 1792. It authorized the President to “call forth the militia” to “execute the Laws of the Union, suppress Insurrections and repel Invasions” as called for in Section 8 of the Constitution including using militia from a number of states to suppress an insurrection in a state that did not have the ability to do so on its own. The first use of this power was by George Washington to call out a force of almost 15,000 militiamen suppress the Whiskey Rebellion in 1794. There was no fighting as the rebellion melted away.<sup>572</sup> The Militia Act did have two very important limitations, militiamen could only be called out for three months in any year and they could not be sent outside the borders of the U.S.

Multiple threats to shipping from belligerents in wars of the French Revolution and North African pirates pushed Congress to create a Navy in 1794. Congress also addressed harbor defenses, added some artillery and engineers, and provided arsenals and magazines (Springfield, Massachusetts, and Harpers Ferry, Virginia).<sup>573</sup> The artillery and engineers provided small garrisons for harbor defenses to be supplemented by militia and reflected a political compromise that took into account the need for professional military technicians maintained by the national government.<sup>574</sup> The regular Army had about three thousand troops scattered from West Point to the Canadian Border into the Ohio valley and down to the Southwest frontier and at a few seaports fortified after 1794. This force was meant to protect the

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<sup>571</sup> MacGregor, *American Military History, the Formative Years, 1783-1812*, 111-114.

<sup>572</sup> Wright and MacGregor, *Soldier-Statesmen of the Constitution*, 52. See Also; Richard H. Kohn, “The Washington Administration's Decision to Crush the Whiskey Rebellion,” *The Journal of American History* 59, no. 3 (1972): 567-584.

<sup>573</sup> Marshall Smelser, “The Passage of the Naval Act of 1794,” *Military Affairs* 22, no. 1 (1958): 1-12.

<sup>574</sup> Wright and MacGregor, *Soldier-Statesmen of the Constitution*, 52.

border against raids from Indian tribes and to provide a warning of an invasion but it was not large enough or positioned to conduct a defense of the country. In 1798 continued attacks on American shipping and the XYZ Affair pushed Congress to create a Navy Department, and the U.S. Marine Corps. It also authorized a Provisional Army (a temporary emergency force requested by President Adams) but no increase in the regular army. Congress did authorize the President to accept privately armed and equipped volunteer units for short-term service. Although not used by Adams this concept saw much use later in the Mexican and Civil wars.<sup>575</sup>

Significant opposition to the regular army was led by the Jeffersonian faction that feared a “standing army” might be used against domestic opposition and objected to every expansion arguing that the militia was adequate to protect the country.<sup>576</sup> President Jefferson’s Secretary of the Treasury summed up their view when he stated “The distribution of our little army to distant garrisons where hardly any other inhabitant is to be found is the most eligible arrangement of that perhaps necessary evil that can be contrived.”<sup>577</sup> The Federalist Party continued advocating a larger navy, and a larger regular army to ensure the protection of American commerce, frontier settlers, and ports. Despite the Jeffersonian’s push for cuts in the regular military, events precluded it.<sup>578</sup>

By 1812 Congress approved a declaration of war with the hopes of kicking the British out of Canada. The U.S. Navy had tremendous success which prompted Congress to increase the Navy.<sup>579</sup> The land campaigns were generally a disaster. One key problem was the provision in the Militia Act of 1792 limiting militia to being used within the borders of the U.S. When a force led by a New York militia general attempted to invade Canada using a mixed force (a majority of militia supported by regular army troops) a large majority of the militia refused to leave U.S. soil because of the Militia Act. This resulted in the defeat and surrender of a force that had crossed the river and successfully attacked the British near

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<sup>575</sup> MacGregor, *American Military History, the Formative Years, 1783-1812*, 117.

<sup>576</sup> Wright and MacGregor, *Soldier-Statesmen of the Constitution*, 53-54.

<sup>577</sup> Edward M. Coffman, “The Duality of the American Military Tradition: A Commentary,” *The Journal of Military History* 64, no. 4 (2000): 974.

<sup>578</sup> Donald R. Hickey, “Federalist Defense Policy in the Age of Jefferson, 1801-1812,” *Military Affairs* 45, no. 2 (1981): 64.

<sup>579</sup> Donald Hickey, *The War of 1812: A Forgotten Conflict*, (Chicago: University of Illinois Press, 1989), 113.

Queenston. Another move toward Canada from Albany New York failed when the New York and Vermont militia also refused to cross the border. On the other hand the defense of New Orleans was a clear success. A majority of General Jackson's force was composed of militia and volunteers. This battle served to reaffirm the reliance on citizen soldiers and the military abilities of militia and volunteers, although this was far out of context to the circumstances (fighting from prepared defenses supported by artillery). The real success in the war was due to naval victories on Lake Erie and Lake Champlain, as well as American artillery and fortifications.<sup>580</sup>

There was one very important political event during the War of 1812 relating to state sovereignty and control over militia; the Hartford Convention of 1814. The states of New England opposed the war not only because of economic devastation to its trade with England but for political reasons as well. The Federalist Party dominated the New England states and consistently opposed the war as being a partisan project designed to suppress domestic opposition and intent on conquest not defense.

The Federalists used their position in the state governments to hamper the war effort by restricting recruiting, quarantining privateers, and most importantly refusing to place state militia units or state troops under federal control. In 1812 the ranking regular officer in New England requested militia to replace regular soldiers who were being sent to the north and west. The problem was that the militia units were to fill garrisons where regular army officers would be in command rather than their own state militia officers. The Governors of Connecticut, Rhode Island, and Massachusetts refused to mobilize the requested militia. The Governors argued that under the Constitution the militia could only be called out if the country was under threat of invasion. Furthermore, the states had the constitutional duty to appoint militia officers and therefore could not serve under regular army officers. This reasoning was supported by the Massachusetts Supreme Court. There was a belief that if the militia were placed under federal

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<sup>580</sup> Morris MacGregor, *American Military History, The War of 1812*, Department of the Army, Center of Military History, Army Historical Series, United States Army, (Washington, D. C.: U.S. Government Printing Office, 1989), 123-146. See Also; Hickey, *The War of 1812: A Forgotten Conflict*, 72-99, 126-158, 221-254. See also; Theodore Roosevelt, *The Naval War of 1812*, (New York: G.P. Putnam's Sons: The Knickerbocker Press, 1882), pp. xii-xxv, 22-71, 455-493.

control it could be ordered to participate in the invasion of Canada which they opposed so these states decided that they would retain control over their means of defense to protect themselves as well as an act of protest against the war.<sup>581</sup>

“President Madison condemned this decision, claiming it was based on “a novel and unfortunate exposition” of the Constitution and that it challenged the very basis of the Union. If the United States could not call up militia in time of war, he said, “they are not one nation for the purpose most of all requiring it.”<sup>582</sup>

The New England states did provide units to protect harbors but ensured that the militia officer in charge outranked the federal officer to ensure state control even though the troops were being provided for by the federal government. Other command arrangements were worked out between state militia and federal officers for the defense of Maine, Boston, Connecticut and Rhode Island, but in almost every case the state retained control and funded a large portion of the militia. When a Federalist governor was elected in Vermont he ordered the Vermont militia serving in New York to return home claiming they were needed for local defense and should not be serving under regular army officers. New Hampshire also had an event in which the Governor called out the militia to protect the city of Portsmouth but refused to place them under regular army officers. The Federal officials responded by withholding supplies and the governor responded by dismissing the militia. The other issue was money. The Federal Government was so short of funds it could not pay for the militia that was in federal service so any mobilization done by the states for local defense had to be paid for by the states themselves. The Federalists in New England claimed that the Federal government had thrown away its resources in Canada while it left the New Englanders defenseless.<sup>583</sup>

This begged the question of responsibility for the defense of New England especially in 1814 when the British attempted to attack from Canada with a large force (battle of Plattsburgh), burned Washington, and tightened the blockade against New England ports. In response to these events and fearing invasion, the Massachusetts Legislature called for a convention of New England states.

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<sup>581</sup> Hickey, *The War of 1812: A Forgotten Conflict*, 255-260.

<sup>582</sup> Ibid., 260.

<sup>583</sup> Ibid., 260-269. See Also; James Banner Jr., “A Shadow of Session? The Hartford Convention, 1814,” *History Today* 38, no. 9, (1988): 24-30.



Representatives from Massachusetts, Connecticut, Rhode Island, New Hampshire, and Vermont met secretly in Hartford Connecticut from 15 December, 1814 to 5 January, 1815.<sup>584</sup> The most important points of the convention report regarded defense, and the first section advocated state nullification of federal acts.<sup>585</sup> The second section of the Hartford Convention Report claimed the states should be in charge of their own defense and should be allowed to withhold the federal taxes collected in their state to fund the state's defenses.<sup>586</sup> The third section can be seen as a call to recreate the New England army of the Revolution by forming a regional force rather than depending on the United States federal military for the defense of New England.<sup>587</sup> The last section of the report was a veiled threat of secession if the complaints of the Convention went unanswered and "defense of these States should be neglected." The report and demands of the Hartford Convention made no difference to the war because it was over; it did however eliminate the Federalist Party as a viable political movement.

What is important is that this document provided the argument for nullification, for state control of the defense of its territory, and for the creation of a regional defense force outside the control of the Federal Government's regular army. Finally, the actions of the New England states to successfully refuse to place their militia under federal control set an important and destabilizing precedent. This argument for state control of its defense and for the creation of a separate regional defense force illustrates the limited integration and tenuous nature of the United States as a weak ASC at this time.

The Nullification Crisis of 1832-1833 is of interest to this case because of the military preparations taken by both sides. Nullification involved interpretation of the Constitution in regard to what powers were apportioned to the states vice the Federal Government. Those who supported nullification looked to the Kentucky and Virginia Resolutions of 1798.<sup>588</sup> Economic impacts of the Tariff

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<sup>584</sup> Ibid., 269-278. See Also; Banner, "A Shadow of Session? The Hartford Convention, 1814," 24-30.

<sup>585</sup> Yale Law School, Avalon Project; Documents in Law, History, and Diplomacy. *Amendments to the Constitution Proposed by the Hartford Convention : 1814* available from [http://avalon.law.yale.edu/19th\\_century/hartconv.asp](http://avalon.law.yale.edu/19th_century/hartconv.asp) Internet; accessed 13 April 2010

<sup>586</sup> Ibid.

<sup>587</sup> Ibid.

<sup>588</sup> Yale Law School, Avalon Project; Documents in Law, History, and Diplomacy. *Kentucky Resolution - Alien and Sedition Acts*. available from [http://avalon.law.yale.edu/18th\\_century/kenres.asp](http://avalon.law.yale.edu/18th_century/kenres.asp) Internet; accessed 13 April 2010.

of 1828 and the Tariff of 1832 resulted in political pressure in South Carolina to “nullify” the Federal Law. A “Nullification Convention” was authorized by the South Carolina Legislature at the request of the Governor and in November of 1832 that body announced that the tariffs of 1828 and 1832 were unconstitutional and therefore “null and void” in the state. That body went even further and proclaimed that any attempt to use force by the Federal Government would result in South Carolina leaving the Union.<sup>589</sup> What gave the Nullification Convention the authority and *audacity* to challenge the power of the Federal Government; in effect daring it to use force? It was because South Carolina had the capacity to generate military capability through the state militia. The South Carolina Legislature authorized Governor Hayne to call out the state militia, draft any male between the ages of eighteen and forty five, and to accept volunteers. The legislature allocated \$200,000 for weapons purchases and gave the Governor access to an additional \$200,000 for military preparations. Governor Hayne called for volunteers and by January a volunteer army of 25,000 men was being equipped and trained. Hayne established a cannon ball factory, purchased over \$100,000 worth of weapons in the north, and also recruited 2000 cavalry. A compromise was reached in Congress in 1833 that diffused the crisis and prevented bloodshed.<sup>590</sup> The relevance of this issue to Amalgamated Security Community formation is that although South Carolina was undeniably part of the United States which at this point met the criteria to be an ASC, South Carolina felt it retained sufficient sovereignty and military capacity to challenge federal authority and dissolve the political union between it and the United States by force if necessary.

Although the official policy of the United States was to rely on the militia for its defense the reality was by this time the majority of militia was untrained, lacked weapons and was of little use as combat units. Given the lack of action by the Federal Government there was a move by various states to

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See Also; Yale Law School, Avalon Project; Documents in Law, History, and Diplomacy. *Virginia Resolution - Alien and Sedition Acts*. available from [http://avalon.law.yale.edu/18th\\_century/virres.asp](http://avalon.law.yale.edu/18th_century/virres.asp) Internet; accessed 13 April 2010. See Also; William K. Bolt, “Founding Father and Rebellious Son: Madison, Calhoun, and the Use of Precedents,” *American Nineteenth Century History* 5, no. 3 (Fall 2004): 9.

<sup>589</sup> Yale Law School, Avalon Project; Documents in Law, History, and Diplomacy. *South Carolina Ordinance of Nullification, November 24, 1832*. available from [http://avalon.law.yale.edu/19th\\_century/ordnull.asp](http://avalon.law.yale.edu/19th_century/ordnull.asp) Internet; accessed 13 April 2010

<sup>590</sup> William Freehling, *Prelude to Civil War: the Nullification Controversy in South Carolina, 1816-1836*, (New York: Harper & Row Publishers Inc., 1965), 274-279, 2-3.

reform the militia. In the 1830's some states rescind their militia laws completely or drastically reduced any fines. Various states then decided to use a provision in the Militia Act that allowed for volunteer militia companies that were to receive extra training to reform their militia into a small number of active militia volunteer companies while the vast majority of the militia would be considered a reserve force.<sup>591</sup> Of course since this was done on a state by state basis it was not uniformly carried out, but it did signal a shift away from regular militia who could only be used for three months towards reliance on better trained volunteer militia units that could be used for much longer periods. The regular militia then tended to function more as a selective service and recruiting database than as an actual fighting force.

President Polk asked Congress for a declaration of war against Mexico which passed on 13 May 1846. Congress raised the strength of the regular army to over 16,000 and authorized the regular army to add a regiment of mounted riflemen and a company of engineers (sappers, miners, and bridge builders). Congress also authorized the President to call for 50,000 volunteers for a term of one year or the duration of the war.<sup>592</sup> Most volunteers chose one year enlistments. Volunteers were supposed to receive pay at the same rate as regular troops but had to furnish their own uniforms and horses. Volunteer officers were appointed according to the militia law of the state the unit was from, but Generals and staffs were federally appointed. On 15 May 1846 the Secretary of War issued requisitions to various states for volunteer units.<sup>593</sup> Polk desired a quick victory and wanted General Winfield Scott, Chief of Staff of the Army, to lead the initial 20,000 man volunteer force into Mexico to force a peace settlement.

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<sup>591</sup> Lena London, "The Militia Fine 1830-1860," *Military Affairs* 15, no. 3 (Autumn, 1951): 133-144. See Also; Randy Hackenburg, *Pennsylvania in the War with Mexico* (Shippensburg, PA: White Mane Publishing Company Inc., 1992), pp. vi-vii

<sup>592</sup> Morris MacGregor, *American Military History, the Mexican War and After*, Department of the Army, Center of Military History, Army Historical Series, United States Army, (Washington, D. C.: U.S. Government Printing Office, 1989), 163-167. See Also; Jack Bauer, *The Mexican War 1846-1848* (Lincoln, Nebraska: University of Nebraska Press, 1974), 32-80. See Also; David Pletcher, *The Diplomacy of Annexation: Texas, Oregon, and the Mexican War* (Columbia, MO.: University of Missouri Press, 1973), 120-392.

<sup>593</sup> "The general procedure was for each governor to direct his militia officers or the sheriff to assemble the local military units and call for volunteers. The volunteers were then shipped to the state rendezvous point and organized into units which were then enrolled. Once the regiment was organized and its officers elected, the federal mustering officer would accept them into service. The cost of transportation from the points of assembly to the rendezvous had to be supplied from local public, or private, sources because Congress had neglected to appropriate money to pay for it." "Another difficulty arose in some of the states where the militia systems had atrophied; long-forgotten

“That such a plan was impossible to execute did not occur to the President, despite Scott’s efforts to introduce reality. Polk was imbued with one of the great fallacies of nineteenth-century American political life: the militia myth, which held that in times of peril hordes of gallant young Americans would spring to the colors and decisively whip any army arrogant enough to confront them. That an untrained soldier, no matter what his nationality, was no match for a trained one was a lesson that the United States steadfastly refused to learn”<sup>594</sup>

A more reasonable plan was worked out that achieved Polk’s war objectives of seizing all Mexican territory north of the Rio Grande and the Gila River westward to the Pacific Ocean including New Mexico and California. During the Mexican War the regular army grew to about 42,500 officers and men, and over 73, 500 volunteers and short term militia were on active duty at some point.<sup>595</sup> The regular army performed well, but the short term militia had proved to be worse than useless, while the volunteer units had performed well in some cases after sufficient training. President Polk however, consistently advocated the state generated volunteer units as being superior.<sup>596</sup> Given the continuing political support of militia forces (volunteer units) and opposition to the regular army, at the end of the war not only were the volunteer units disbanded but by December 1848 the regular army was reduced to a peacetime force of less than 10,000 officers and men (fewer than authorized in 1815). Between wars the regular army engaged in exploration and garrisoning western territories. By June 1860 the regular army had a strength of 1,080 officers and 14,926 enlisted men. Most of the regular army was in the far west scattered into small garrisons and could not form an effective fighting force. The Department of the East consisted of all states east of the Mississippi river and only had 929 regular army troops.<sup>597</sup>

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laws had to be unearthed in order to determine how officers were elected or appointed.” Jack Bauer, *The Mexican War 1846-1848* (Lincoln, Nebraska: University of Nebraska Press, 1974), 69-72.

<sup>594</sup> Ibid., 73.

<sup>595</sup> President Polk, 1846: “Our volunteer citizen soldiers, who so promptly responded to their county’s call, with an experience of the discipline of a camp for only a few weeks, have borne their part in the hard fought battle of Monterey with a constancy and courage equal to that of veteran troops” and in 1848 stated “Our experience in the war just closed fully confirms the opinion that such an army may be raised upon a few week’s notice, and that our citizen soldiers are equal to any troops in the world.” Ibid., 397.

<sup>596</sup> Richard Winders, *Mr. Polk’s Army*, (College Station, Texas: Texas A&M University Press, 1997), 195.

<sup>597</sup> “The Regular Army was deployed within seven departments, six of them west of the Mississippi. Of 198 line companies, 183 were scattered in 79 isolated posts in the territories. The remaining 15 were in garrisons along the Canadian border and on the Atlantic coast.” Morris MacGregor, *American Military History, the Civil War 1861*, Department of the Army, Center of Military History, Army Historical Series, United States Army, (Washington, D. C.: U.S. Government Printing Office, 1989), 186

The Civil War in the United States is such a well known topic that for the purposes of this paper it should only be necessary to highlight the significant parts related to state sovereignty and the creation of military capability and the capacity to produce military capability. The election of Lincoln in November 1860 moved several states to begin military preparations long before the start of the war. Seven states formed the Confederacy on 18 February, 1861. They took control of all federal property inside their states, including military property (except for Fort Pickens and Fort Sumter). A Confederate War Department was created on 21 February. By 27 February President Jefferson Davis was able to get the Confederate Congress to authorize a provisional army of 100,000 volunteers with enlistments for twelve months.<sup>598</sup> On 14 April, Lincoln declared the seven southern states as being in a state of insurrection and asked the loyal states to provide 75,000 militiamen for three months; meeting the requirements under the Militia Act.<sup>599</sup> This prompted eight other states to leave the union.<sup>600</sup> These states joined the Confederacy because they were not prepared to use force against other states to enforce the laws of the United States. This clearly demonstrates the weakness of the system of multiple jurisdictions with the capacity to produce military capabilities inherent under the Militia Act. Lincoln on his own initiative called for 40 regiments of volunteers to serve three years and increased the Regular Army by 22,714 men, and the Navy by 18,000 sailors.<sup>601</sup> The generation of military capabilities on both sides was similar. Prewar volunteer militia units provided a core of partially trained and equipped units. Both sides used newly created volunteer armies not the regular army. The states, not the national governments, controlled mobilization and did a much better job than the understaffed War Departments to generate military capabilities. It was state officials who enlisted the soldiers and formed the units. The regular militia was also used. States used their militia for internal security, as garrisons for forts, prison camp guards, border patrol, and during invasions mobilized them to fight. The militia's primary role however was to "serve as

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<sup>598</sup> William C. Davis, *Look Away!: A History of the Confederate States of America* (New York: The Free Press, 2002), 29, 36-38, 88.

<sup>599</sup> MacGregor, *American Military History, the Civil War 1861*, 185-190.

<sup>600</sup> "Within the eight slave states still in the Union, the militia call to suppress the rebellion was angrily and promptly rejected, and the President's decision to coerce the Confederacy moved Virginia, North Carolina, Tennessee, and Arkansas to join it." Ibid., 189.

<sup>601</sup> Ibid., 189-190.

the nursery from which the old regiments and batteries of volunteers were to be recruited and new ones organized.”<sup>602</sup> The result was two armies with units of varying abilities; some were very good preexisting volunteer units, others were completely raw. The key point is that the militia system provided the capacity for each state to generate military capabilities, and the time that had elapsed between Lincoln’s election and the first real battles in the summer of 1861 allowed both sides to create large new armies while the disposition of the regular army on the frontier prevented the federal government from moving quickly to stop the southern states from arming themselves.

The South Carolina Declaration makes several points regarding what was seen as the historical sovereignty of the State of South Carolina. It references the Declaration of Independence that asserts the colonies were free and independent states (plural) with the full power to do all acts and things which independent States may of right do, and that following the Declaration of Independence each of the thirteen States exercised its separate sovereignty creating governments and constitutions. Under the Articles of Confederation each State retained its sovereignty, freedom and independence. It quotes from the 1783 Treaty of Paris that recognizes each of the colonies as separate free, sovereign and independent states (plural). If a state had not ratified the Constitution it would have remained a separate, sovereign state.<sup>603</sup> Therefore, the South Carolina Declaration declares the Constitution is a compact between sovereign states, and when one of the contracting parties fails to perform part of the agreement it entirely releases the obligation of the other party to the compact.<sup>604</sup> According to this rationale South Carolina was free to resume its status in the world as a “separate and independent State.”<sup>605</sup> The states of the

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<sup>602</sup> Millett and Maslowski, *For the Common Defense: A Military History of the United States of America*, 174-175.

<sup>603</sup> Yale Law School, Avalon Project; Documents in Law, History, and Diplomacy. *Confederate States of America - Declaration of the Immediate Causes Which Induce and Justify the Secession of South Carolina from the Federal Union* available from [http://avalon.law.yale.edu/19th\\_century/csa\\_scarsec.asp](http://avalon.law.yale.edu/19th_century/csa_scarsec.asp) Internet; accessed 23 April 2010. See Also; Declaration of Independence, Articles of Confederation, Treaty of Paris 1783.

<sup>604</sup> Ibid.

<sup>605</sup> Ibid.

Confederacy believed the same logic outlined in the South Carolina Declaration that they were latent sovereign states that could reassert their right to full sovereignty.<sup>606</sup>

The secession of states from the Union and formation of the Confederate States was based on this belief that the states retained their sovereignty. Although the Nullification Crisis is the obvious precedent, this belief was not confined to the southern states. The examples of the Hartford Convention and Ex-President John Quincy Adams' threat of northern secession if Texas was admitted as a slave state are sufficient reminders that the idea of the states being sovereign was fairly wide spread. What gave this concept legs to stand was two political-military facts. First, the federal government was never allowed to keep a large standing army precisely because of the fear that it would be used to suppress domestic political dissent. Consequently it was looked down upon as a necessary evil manned by the dregs of society and exiled to the frontier regions where it could not be expected to (and did not) act against any state. Second, the states were mandated by the Constitution to maintain their militias, and those militias were considered to be the primary means of defense in time of war. The militia (later the volunteers) were therefore extolled as the primary example of the republican virtue of the citizen-soldier able to defend his local community. The result was that the states had the capacity to generate military capabilities and if joined by other states had the potential to challenge the claim of the federal government to the monopoly on the use of force. This ability of each state to generate military capability gave it the means to back up its claim to sovereignty. Russell F. Weigley in *History of the United States Army* makes the critical point:

"The mobilization of the war armies...was an impressive achievement, especially for a nation with so limited a permanent military force. In no small measure, the achievement derived from the historic citizens' militia, whose organized companies became the nucleus of the war armies. **In no small measure, too, however, the citizens' militia made possible the great war itself, by giving the states sufficient military strength, and thus a sufficient residue of sovereignty, to wage war against each other.** Some perception of the relationship between the military institutions of the states and the very existence of the war probably underlay the War Department's eventual efforts toward direct federal recruiting. Initially nourished by the

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<sup>606</sup> Yale Law School, Avalon Project; Documents in Law, History, and Diplomacy. *Confederate States of America - Message to Congress April 29, 1861 (Ratification of the Constitution)* available from [http://avalon.law.yale.edu/19th\\_century/csa\\_m042961.asp](http://avalon.law.yale.edu/19th_century/csa_m042961.asp) Internet; accessed 23 April 2010

organized militia companies, the Civil War was also the great war of the volunteer armies... But it proved to be the last major war both of state-affiliated and of volunteer armies"<sup>607</sup>

This is the danger of weak or partially integrated Amalgamated Security Communities where more than one authority has jurisdiction over the creation of military capabilities and the capacity to produce military capability. They are structurally susceptible to fracture and civil war since having the tool to forcibly break apart the community also provides part of the justification for the act in terms of perceived sovereignty. This may be the reason that Deutsch described Amalgamated Security Communities as being less stable than Pluralistic Security Communities

### **3-4 b. The Government: 1789 to the Civil War 1861**

It is quite clear that the U.S. Constitution instituted a government and that it corrected the major flaws inherent in the Articles of Confederation. The Constitution grants the Federal government powers to collect tax revenue, enforce federal laws, regulate commerce, declare war, raise and support armies, provide and maintain a navy, and call forth the militia. This voluntarily and formally agreed to government meets the requirements for the U.S. to be considered an Amalgamated Security Community so this section does not need to review government structure or capabilities. Instead the legislation and policies that made it a weak or partially integrated Amalgamated Security Community are the focus.

The Constitution itself codified the dual jurisdiction over the creation of military capabilities and the capacity to produce military capability. In Article 1, Section 8 the Constitution says Congress has the power: "To provide for organizing, arming and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the states respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress." Article 2 Section 2 states that the "President shall be Commander in chief of the Army and Navy of the United States, and of the militia of the several States, when called into the actual Service of the United States." Also the Second Amendment states that: "A well-regulated militia, being necessary to the security of a free State, the right of the people to keep and bear arms, shall not be infringed."

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<sup>607</sup> Russell F. Weigley, *History of the United States Army* (Bloomington, IN.: Indiana University Press, 1984), 216 (bold underline by this author)



Congress was limited however, when raising an army in that “no appropriation of money to that use shall be for a longer term than two years.” This limitation can be seen as implying that there would be no standing army but only armies created in response to emergencies. It was practical necessity that made the regular army permanent not the language of the Constitution. The vague language of the Constitution left Congress to develop the methods to implement the powers granted it under the Constitution's militia clauses. Washington, Knox, and Hamilton tried to get Congress to pass legislation that would provide for a “well regulated militia” (in today’s language a militia organized and equipped to be interoperable) as called for in the Constitution but they had all failed.<sup>608</sup> What they got instead was the Militia Act of 1792 which was really two acts passed on 2 May and 8 May. The first act dealt with the power of Congress under the Constitution (Article 1, Section 8): “To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions”. In the service of the Federal government militia would be paid at the same rate as regular army soldiers and were subject to the same regulations. Militia could not be forced to serve more than three months in any one year. The second act dealt with the power of Congress under the Constitution (Article 1, Section 8); “To provide for organizing, arming, and disciplining, the Militia”. The only discipline prescribed by Congress was the use of Steuben’s “Blue Book”. The militia was composed of “every free able-bodied white male citizen” in each state between the ages of eighteen and forty-five years old. Arming the militia was the duty of each individual to provide their own musket with ammunition (twenty four cartridges to fit his weapon) and accoutrements (bayonet, belt, spare flints, knapsack, ammo pouch) or rifle with shot-pouch, and powder-horn and accoutrements. It was at the discretion of each state legislature to organize their militia into “divisions, brigades, regiments, battalions, and companies” and although the act went on to describe the size and organization of each unit, that portion was prefaced with the phrase “*if convenient*.” That of course made the outlined organization irrelevant and up to the discretion of the state to organize their militia. There was to be a company of artillery and troop of cavalry in each division who were to be *volunteers* that provided themselves with horses and uniforms at their own expense. It was this portion of the act that

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<sup>608</sup> Millett and Maslowski, *For the Common Defense: A Military History of the United States of America*, 93-94.

later led most state militias to reorganize into units of active volunteers and a reserve militia that was mostly a manpower pool. The adjutant general in each state was in charge of implementing the act and was required to prepare an annual report regarding “the militia under their command, reporting the actual situation of their arms, accoutrements, and ammunition” and to send it to the Commander-in-Chief of the state, and a copy to the President of the United States.<sup>609</sup>

The Militia Act helped establish the authority of the federal government with the use of federalized militia during the Whiskey Rebellion. The issue of Federal authority to call forth the Militia was resolved by the Supreme Court; which established that a state could not refuse to place its militia under federal control. Massachusetts and Connecticut had refused to call out the militia during the War of 1812 and were supported by the Massachusetts Supreme Court in their contention that the state had the right to determine if the requirements of the Militia Act had been met. It was the U.S. Supreme Court rulings in *Houston v. Moore* (1820) that a militiaman who refused to respond to a federal call-up violated national law, and a unanimous decision in *Martin v. Mott* (1827) that upheld the constitutionality of all portions of the Calling Forth Act of 1795.<sup>610</sup> Samuel Huntington notes the militia clauses created an “empire within an empire” in that the militia clauses sanction a semi-military force that cannot be completely subject to military discipline nor removed from political “entanglements”. More importantly “they give constitutional sanction to a division of control over the militia between state and national governments which necessarily involves the militia in the conflicting interests of the federal system.” Specifically it resulted in state control of the militia during peace and contested dual state-federal control in time of war.<sup>611</sup>

The Militia Act left the states completely in charge of the militia in peacetime and institutionalized separate centers with the capacity to create military capabilities within the country. Furthermore, it ensured that state militia forces would be organizationally incompatible and equipped

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<sup>609</sup> Wright and MacGregor, *Soldier-Statesmen of the Constitution*, 243-244. (Texts of the two Militia Acts)

<sup>610</sup> Don Higginbotham, “The Federalized Militia Debate: A Neglected Aspect of Second Amendment Scholarship,” *The William and Mary Quarterly*, 3rd series, 55, no. 1 (1998): 55.

<sup>611</sup> Samuel Huntington, *The Soldier and the State: The Theory and Politics of Civil-Military Relations* (Cambridge, Mass.: The Belknap Press of Harvard University Press, 2001), 169-170.

differently.<sup>612</sup> The Militia Act in fact encouraged the creation of as many different armies as there were states. Numerous administrations pushed Congress to revise the Militia Act, but there no basic changes to the act that remained in force for 111 years until it was superseded the Dick Act of 1903.<sup>613</sup>

Congress did move to help establish domestic arms manufacturers as well as to arm the state militias. The Act for Arming the Militia passed on 23 April 1808 provided an annual appropriation of \$200,000 to provide “arms and military equipment for the whole body of the militia of the United States, either by purchase or manufacture.”<sup>614</sup> The amount of money was inadequate, but by making it an ongoing annual appropriation long term contracts could be given to domestic arms manufactures helping them to become established.

The Constitution, Militia Act, and the Act for Arming the Militia formed the legal structure that made the U.S. during this period a partially integrated Amalgamated Security Community. In addition there was the component of politics both national and at the state level. State militias were an integral part of state politics and patronage. All attempts to reform them by requiring officers to have demonstrated military proficiency faced stiff opposition from powerful families whose members received commissions for who they were, rather than their military competence.<sup>615</sup> States jealously guarded their prerogative to name officers in part because of this issue of patronage but also because the power to control officer appointment provided political control over the militia. At the national level the various attempts at militia reform foundered because politically the militia was seen as the counterbalance to the power of the federal government and the regular army.<sup>616</sup> This balance was predicated on the sovereignty retained by the state, and it was the militia that was the symbol and substance of state sovereignty.<sup>617</sup> No reform of the militia was possible until that balance shifted in favor of the federal government first with

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<sup>612</sup> Millett and Maslowski, *For the Common Defense: A Military History of the United States of America*, 94-95.

<sup>613</sup> Greene, *The Revolutionary War and the Military Policy of the United States*, 296-297.

<sup>614</sup> James Huston, *Logistics of Liberty: American Services of Supply in the Revolutionary War and After* (Cranbury, New Jersey: University of Delaware Press, 1991), 305.

<sup>615</sup> Higginbotham, “The Federalized Militia Debate: A Neglected Aspect of Second Amendment Scholarship,” 43.

<sup>616</sup> “The militia was central to the political stability and constitutional balance that sustained a republican constitution.” Lawrence Delbert Cress, *Citizens in Arms: The Army and the Militia in American Society to the War of 1812* (Chapel Hill: University of North Carolina Press, 1982), 73.

<sup>617</sup> *Ibid.*, 100-101, 106-107, 158.

the Dick Act in 1903 and then completely in 1916 with the Passage of the National Defense Act as the nation faced the prospect of war with either Mexico or Europe.<sup>618</sup>

On the other hand the system did function. The U.S. government was able to successfully wage war both inside the territory of the U.S. and overseas. The militia formed a significant part of almost every field army. The federalized militia enhanced the power of the central government, but the militia also enabled the local elites in the southern states to oppose federal authority. The militia in the U.S. was a double edged sword and research into militia in China illuminates the issue. The Chinese turned to creating local defense forces in the late nineteenth and early twentieth centuries in response to civil war, rebellion, and social disorder. Although created by local elites they almost always involved some type of state supervision. The Chinese militia were never just the tool of either local elites or state officials but were involved in shared efforts by both. The militia provided an intermediary organization between the state and society that was an arena for competition between various interests and factions that, depending on circumstance, could result in greater power for local elites or increased state control.<sup>619</sup>

“Militia organization in modern China was, in the end, a contested domain in which both state and society, as well as different elements of the state and society, met to pursue their mutual interests or negotiate their differences. We should not be surprised to find that in different periods, or even in different places in the same period, militia mobilization could lead either to an increase of local autonomy or to the expansion of state control.”<sup>620</sup>

### **3-4 c. Defense Cooperation: 1789 to the Civil War 1861**

The structure of the small army and the administrative section under the Secretary of War did not change and neither did the policies as the government changed from Confederation to the new Federal government. There was no navy so any naval matters were addressed by the same department until the Naval Department was created in 1798. The prohibition in the Articles of Confederation against states maintaining a naval force in peacetime carried over under the constitution with Congress having the power to maintain a Navy. The Navy (except for the Confederate force during the Civil War) was a

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<sup>618</sup> Weigley, *History of the United States Army*, 321, 348-349

<sup>619</sup> Edward A. McCord, “Local Militia and State Power in Nationalist China,” *Modern China* 25, no. 2 (1999): 115-141.

<sup>620</sup> Ibid.

completely federal affair and therefore an integrated force. This was also true for costal fortifications. Since it was the land forces that had a direct bearing on the issue of state sovereignty that will be the focus of this section; not naval forces. The Navy and costal fortifications will be included however, in the final calculation of the degree of military integration. One last caveat to this section is that the relative combat effectiveness of the land forces, the militia and regular army, is not the focus of this paper. The arguments made by General Emory Upton and others against the use of untrained militia and for a larger and/or expansible regular army are not the subject of this paper. Therefore, the militia and regular army will not be compared in terms of combat abilities. What will be examined is; military cooperation, levels of integration, and the dispersal of the capacity to produce military capabilities.

**3-4 c. (1) Administration.** The regular army as a creation of Congress was clearly dependent on the federal government for its administration. The militia when in federal service was likewise dependent on the federal government for its administration which was clearly stated in the Constitution and Militia Act. This section primarily deals with that federal administration of land forces.

Most of the time the military supply system was managed by civilians using a contract system from the end of the Revolution until the end of the war of 1812.<sup>621</sup> The procurement, storage, and distribution of all supplies (other than food) for the Army was centralized in Philadelphia.<sup>622</sup> Medical service after the Revolution was left up to unit surgeons. Although medical supplies were available, purchasing and transportation of supplies to the troops was problematic.<sup>623</sup> In 1812 Congress reinstated the office of Commissary General of Purchases and Ordnance Department (responsible for cannon balls, shells, shot, powder, and construction of gun carriages etc...) under the Secretary of War. In 1813 Congress expanded the Army staff and added a topographical section to make maps. It also recreated the positions of Adjutant General, Inspector General, and Surgeon General and added them to the Pay Department, Hospital Department, the Judge Advocate, and the Chaplain. This provided the Secretary of War a staff to manage the Army. This did not resolve the problems of transportation over great distances

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<sup>621</sup> Huston, *Logistics of Liberty: American Services of Supply in the Revolutionary War and After*, 283.

<sup>622</sup> Morris MacGregor, *American Military History, the Formative Years, 1783-1812*, 108-109.

<sup>623</sup> Huston, *Logistics of Liberty: American Services of Supply in the Revolutionary War and After*, 285-286.

through the wilderness that caused the breakdown of logistic support to the field armies. Commanders had to provide food by purchasing it from local sources, and troops in the field often lacked blankets and shelter even in winter. Despite several reforms, the issues of transportation and reliance on inefficient contractors were not resolved.<sup>624</sup>

John C. Calhoun as Secretary of War did much to make the regular army more professional. Calhoun was able to get legislation passed in 1818 that provided for the organization of a Subsistence, Quartermaster, and Medical Department on a permanent basis.<sup>625</sup> Calhoun was also able to establish the post of Commanding General of the Army to provide coordination between the field armies and the War Department. Calhoun assisted in reforming the Military Academy, greatly improved coastal fortifications, and instituted recruiting depots for the regular army in major cities.<sup>626</sup> He was able to get Congress to require contractors to provide bulk supplies to depots which provided for closer supervision by the military. The depots functioned well but transportation issues and lack of maps caused continued logistic failures. In response the Secretary of War recreated the corps of artificers to repair wagons and boats. The army abandoned contracted boats for owning steamboats which proved to be cheaper and more reliable.<sup>627</sup> Although the militia in federal service were supposed to depend on federal resources they often received supplementary supplies and pay from state and local sources when the federal system failed, even through the Spanish American War.<sup>628</sup>

In the Jefferson administration the country was divided into three military departments with a contracting agent and assistants that were responsible for the movement of supplies and troops within that department.<sup>629</sup> Just prior to the Civil War there were seven geographic Military Departments; six were west of the Mississippi River. Each was commanded by a senior colonel or general officer and had about

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<sup>624</sup> MacGregor, *American Military History, the Formative Years, 1783-1812*, 124, 139-140, 150.

<sup>625</sup> Huston, *Logistics of Liberty: American Services of Supply in the Revolutionary War and After*, 291.

<sup>626</sup> Morris MacGregor, *American Military History, The Thirty Year's Peace*, Department of the Army, Center of Military History, Army Historical Series, United States Army, (Washington, D. C.: U.S. Government Printing Office, 1989), 148-162

<sup>627</sup> *Ibid.*, 154, 161-162.

<sup>628</sup> Michael J McAfee, "The Twentieth Regiment, New York State Militia, 1861 "Ulster Guard." *Military Images* 28, no. 2, (2006): 24. See Also; Barry Stentiford, "The Meaning of a Name: The Rise of the National Guard and the End of a Town Militia," *The Journal of Military History* 72, no 3 (2008): 727.

<sup>629</sup> *Ibid.*, 118.

2000 regular troops. They were also responsible for training militia and volunteer forces called into federal service. These geographic departments received administrative support from the Secretary of War but were under the orders of the President or Commanding General of the Army for combat operations.<sup>630</sup>

Weapons were also purchased using a contract system for most of this period. Although weapons could be purchased for less in Europe, Hamilton and Knox urged the development of a domestic arms industry as essential for national independence. The Act of 1808 to Arm the Militia gave the federal government the means to develop one. In addition Congress expanded the number of U.S. arsenals and magazines used for the storage of weapons and also established national armories (Springfield, Massachusetts, and Harpers Ferry, Virginia) to produce weapons under the control of the federal government.<sup>631</sup> Some states also created armories but the only permanent one following the Revolution was created in Richmond Virginia. From the 1820's through the 1840's domestic manufacture of military arms was based on two the national armories and six private manufacturers who received long term contracts on a regular basis.<sup>632</sup> No government run or managed national foundry similar to the national armories was created. Although military craftsmen (artificers) could make the gun carriages and all other equipment needed, only the private foundries were capable of casting cannon. Prior to the war of 1812 Congress noted the existence of over 500 furnaces and foundries and stated that the production of cannon was adequate so heavy ordnance production remained entirely in the hands of private industry.<sup>633</sup> A new artillery system adopted in 1839 gave the U.S. forces a substantial advantage in the Mexican War.<sup>634</sup> Although new rifled artillery became available prior to the Civil War, the mainstay of both armies remained the smoothbore cannon.

To resolve the lack of American educated engineers and technical specialists Congress created a Corps of Engineers as a separate branch in the army with 10 cadets and 7 officers creating the U.S.

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<sup>630</sup> Ibid., 185.

<sup>631</sup> MacGregor, *American Military History, the Formative Years, 1783-1812*, 108-109.

<sup>632</sup> Huston, *Logistics of Liberty: American Services of Supply in the Revolutionary War and After*, 298-306, 316. See Also; "How America has Procured Munitions, Since 1774." *Congressional Digest* 13, no. 11 (1934): 260

<sup>633</sup> Ibid., 299, 16-317.

<sup>634</sup> MacGregor, *American Military History, the Thirty Years Peace*, 156.

Military Academy in 1802.<sup>635</sup> The Artillery School created in 1824 at Fort Monroe was the first specialist school and helped to introduce the first official U.S. artillery system for all categories of artillery that had been created in 1818. General Scott prepared a new manual of infantry tactics for Regulars and militia and prepared the Army regulations of 1821 which was the primary manual through the Mexican War. Besides West Point a number of other military schools had been created prior to the Civil War (e.g. Norwich, VMI, the Citadel etc...) that provided officers for both armies in the North and South.<sup>636</sup>

The raising of state troops for federal service was an important administrative function performed by the states.<sup>637</sup> Recruiting for the regular army was difficult. During the War of 1812 recruiting for the regular force was so difficult that the actual strength was one half to one quarter of what was authorized.<sup>638</sup> Recruiting depots set up in major cities in 1822 to enlist soldiers for the regular army rather than by regiment had some success but it did not fix the shortage of regular soldiers.<sup>639</sup> The problem was the perception of the regular army by the society. This perception came directly from the historical distaste for a standing army. As Samuel Huntington outlines in *The Soldier and the State*, the dominant and constant ideology in America has been liberalism. American liberalism has tended to identify both domestic and foreign enemies as being related to the professional military. The military has been a “universal target” as each liberal group identifies either the old order or its enemies with the professional military through American history. “Liberalism is divided in its views on war but it is united in its

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<sup>635</sup> Wright and MacGregor, *Soldier-Statesmen of the Constitution*, 54.

<sup>636</sup> MacGregor, *American Military History, the Thirty Years Peace*, 151, 155-157, 182-183.

<sup>637</sup> “The system actually made a good deal of sense given the condition and size of the federal bureaucracy. The states utilized their otherwise moribund and inefficient paper militia administration systems to recruit and outfit volunteers, giving the normally idle adjutant general, quartermaster general, and other militia staff officers important assignments in the task. The process saved time as well since the federal government did not have to create an emergency wartime bureaucracy to raise troops.” “Uniformed militia and civilian volunteers first entered the state service; then the states turned them over to the federal government for the time stated in the call for troops. In the process, the states insisted upon retaining the militia prerogative of appointing all regimental officers. Following another tradition from the Continental Army, they demanded and generally received the right to nominate volunteer general officers for the President's commission in proportion to the number of volunteers the states provided” Jerry M. Cooper, “National Guard Reform, the Army, and the Spanish-American War: The View from Wisconsin,” *Military Affairs* 42, no. 1 (1978): 20.

<sup>638</sup> Greene, *The Revolutionary War and the Military Policy of the United States*, 298.

<sup>639</sup> MacGregor, *American Military History, the Thirty Years Peace*, 156.



hostility to the military profession.”<sup>640</sup> The critiques of Federalist attempts to create a regular army in the early years of this period included a widespread and deep animosity toward the soldiers themselves.<sup>641</sup> The military necessity of having a regular force on the frontier led to the survival of the regular army despite the inherent opposition, and although Americans recognized the need for a regular army they still loathed it.<sup>642</sup> Officers were often called ‘idle vagabonds’ that drained the public treasury, while the enlisted men were called ‘the scum of society’, ‘hirelings,’ and ‘good candidates for the state prison’. One contributing factor was hostility towards foreigners since a large portion of the troops were foreign born immigrants; one estimate was that two thirds of the soldiers in the 1830 were immigrants.<sup>643</sup> William Sumner, the Adjutant General of Massachusetts, in his 1826 response to the Barbour Commission wrote “The militia is what is left after society is purified by army enlistments,” and that while there was no need for regular soldiers to be intelligent the militia required intelligent recruits.<sup>644</sup> Given the deep seated and wide spread societal animosity toward the regular army, the vast majority of Americans preferred to serve in either the militia or in volunteer regiments recruited by the states.

**3-4 c. (2) Forces** The Regular Army throughout this period, regardless of the various increases and subsequent cutbacks during each crisis, was an integrated force recruited, supplied and administered by the federal government. The level of competence of that administration progressed during the period and made the army more effective as well as less reliant on local support when in the field. On the other hand, it was despised by powerful political factions and by society so it was kept on the frontier for the majority of the time. The pattern for its use in war was for the regular troops to function as a core of

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<sup>640</sup> Huntington, *The Soldier and the State: The Theory and Politics of Civil-Military Relations*, 153, 143-154.

<sup>641</sup> Cress, *Citizens in Arms: The Army and the Militia in American Society to the War of 1812*, 138-139.

<sup>642</sup> “Underpaid and ill-accepted, the United States Army formed a unique class living beyond the bounds of a society that valued industry and achievement. Americans asked themselves why, in a land filled with and abundance of opportunities, any man willingly would enter an undemocratic system where little chance of advancement existed. In the minds of some critics, men became soldiers only when they lacked the enterprise to do anything else.” Richard Winders, *Mr. Polk’s Army* (College Station, Texas: Texas A&M University Press, 1997), 50-51.

<sup>643</sup> *Ibid.*, 51, 60-61, 63.

<sup>644</sup> John K. Mahon, “A Board of Officers Considers the Condition of the Militia in 1826,” *Military Affairs* 15, no. 2 (1951): 92.

competent troops augmented by militia. Besides improving fortifications the regular army engineers and explorers contributed materially to building the country.<sup>645</sup>

“The frontier shaped the force composition, military organization, tactics, and weapons of the Army. The expansion and development of the country also provide the Army with a wide range of nonmilitary functions. The War Department regulated trade with the Indians: Army generals negotiated treaties with them: Army explorers surveyed and mapped land and chose the sites for forts and the settlements which were to follow: Army engineers built roads and developed waterways.”<sup>646</sup>

Important as its contributions were, when the primary crisis came in 1861, the Regular Army could not and did not participate. It is the militia and volunteer units that must be considered as having the greatest impact on the U.S. as a partially integrated ASC. Militia forces in the various states included all three categories of combat units of the period; infantry, cavalry, and artillery.<sup>647</sup> In 1849, South Carolina reported that its militia consisted of 49,487 soldiers in infantry units, 2,955 in cavalry units, and 1,067 artillery troops.<sup>648</sup> Artillery units could be found in almost every state and were significant in several actions including the defense of New Orleans, the Mexican War, and the shelling of Fort Sumter that began the Civil War.<sup>649</sup> Militia cavalry had a significant impact in several conflicts including mounted militia at the battle of Fallen Timbers, mounted militia riflemen at Tippecanoe, Kentucky cavalry regiments at the battle of the Thames, and the First Mississippi mounted rifle regiment at Buena Vista. The largest component of any force during this period however, was the infantry. During the Revolution, it was common for the militia to bring their own weapons and for state owned weapons to be used only by the poor. Due to a shortage of weapons states began to confiscate privately owned weapons of militiamen

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<sup>645</sup> Note: The tasks assigned to the regular army on the frontier bear a close resemblance to the "Petersberg tasks" of humanitarian and rescue tasks; peace-keeping tasks; and tasks of combat forces in crisis management, including peacemaking, that form the basis for the EU's Security and Defense Policy.

<sup>646</sup> Samuel P. Huntington, "Equilibrium and Disequilibrium in American Military Policy," *Political Science Quarterly* 76, no. 4 (1961): 490.

<sup>647</sup> Note: There were variations within these categories such as light infantry, or rifle equipped troops for skirmishing that were different from line infantry equipped with musket and bayonet or heavy infantry such as grenadiers. The Cavalry and artillery also had different types of units equipped with different weapons, for different tasks; however the three main categories of combat units during the period were infantry, cavalry, and artillery. Other types of troops such as engineers greatly assisted the army but were not the main combat units.

<sup>648</sup> Lee W. Eysturid, "An Opportunity to Show Their Epaulets and Feathers: The South Carolina Militia During the First Secession Crisis, 1848-1851," *Armed Forces & Society* 20, no. 2 (Winter 1994)

<sup>649</sup> An example are three batteries of Pennsylvania militia that served in Mexico; Washington artillery, Wyoming Artillery, Stockton Artillery. See: Randy Hackenburg, *Pennsylvania in the War with Mexico* (Shippensburg, PA.: White Mane Publishing Company Inc., 1992), 106, 170, 285.

as they were about to return home. Eventually, militia men would bring their personal weapons to musters (mandatory drill day) to escape the militia fine for not having a weapon, but would leave their personal firearms at home when mobilized. Over time the militia would be armed with state provided weapons. There was a benefit to the state militia to do this because it standardized the weapons being used within a unit and reduced the number of different calibers of weapons that had to be provided for. Complaints regarding insufficient weapons to arm the militia were based on a lack of standardized military weapons not that there were no weapons at all. Those states that counted both state provided and personally owned firearms in their militia reports to the Secretary of War (as required in the Militia Act) had a very high percentage of the total militia as being armed.<sup>650</sup> At the point of crisis in 1861, when state militias were mobilized to assert state sovereignty and oppose federal authority, there was a fairly large supply of small arms that had accumulated in part due to the Act of 1808 to arm the militia. Early in the conflict weapons varied so much that as late as 1862 a federal officer's request for ammunition included eleven different types of ammunition for small arms.<sup>651</sup>

Despite the flaws inherent in the militia system created by the Militia Act, the states could create sufficient military capabilities at a minimum to conduct a defense, especially if the militia were in prepared positions. This is important because to defy Federal authority it was not necessary to march on Washington or invade another state. All a state needed to assert its sovereignty was sufficient military capability to defend itself against Federal government attempts to impose its authority on the state.<sup>652</sup> The concept of state control over its militia extended to Border States such as Kentucky during the Civil War which declared it was neutral and refused to call out its militia when requested by the President.

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<sup>650</sup> Robert H. Churchill, "Gun Ownership in Early America: A Survey of Manuscript Militia Returns," *The William and Mary Quarterly*, 3<sup>rd</sup> series, 60, no. 3 (2003): 615-642

<sup>651</sup> Weigley, *History of the United States Army*, 202.

<sup>652</sup> "South Carolina's leadership husbanded this strength and took its control very seriously. To the state's elite, the militia represented a force that could guard not only against internal domestic turmoil and violence, but also one that could resist the central authority of the federal government. To weed out Unionist sentiment and secure the officer corps as loyal state's righters, the Militia Test Oath had been created in South Carolina after the Nullification Crisis of 1832-1833." Lee W. Eysturid, "An Opportunity to Show Their Epaulets and Feathers: The South Carolina Militia During the First Secession Crisis, 1848-1851," *Armed Forces & Society* 20, no. 2 (Winter 1994)

The various state militia organizations, because of the flaws of the Militia Act, were left to do whatever they thought was appropriate. The commander of the militia was in all cases the state governor. The legislatures had power to mobilize the militia and to create regular state units. The states then had a multitude of different limitations regarding control of the militia.<sup>653</sup> The methods to select officers also varied greatly.<sup>654</sup> This variety in command and control was mirrored by the variety in organization as well as in training. Responses by state adjutant generals to the Barbour Commission in 1826 showed a significant variation between the state militias.<sup>655</sup> To add to the variety between states the volunteer units within the states differed greatly from one another. The Barbour Commission reported that militia musters had lost their military training value by the 1820s and had become primarily social events. In addition many states simply refused to respond to the Commission, indicating their lack of performance while other state's responses confirmed the steep decline in the readiness of their militia.<sup>656</sup> This lack of military usefulness and opposition to the militia fine and incarceration for debt led some states to abandon the fine or to abandon the militia law altogether or restructure their force into volunteer units (or uniformed militia) that drilled regularly and a reserve militia composed of everyone else. This trend started following the War of 1812 and by the time of the Mexican War volunteer "Uniformed Militia" units were widespread and used extensively in that conflict.<sup>657</sup> Some states allowed the volunteer militia

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<sup>653</sup> "Each state maintained control of its own militia, making the militias essentially state armies. Each governor served as commander-in chief of his state's militia. Some states actually authorized the governor to command troops in the field, but most intended for him merely to act as an administrator. Aided by a state adjutant general, each governor organized the militia into companies, battalions, regiments, brigades, and divisions. State constitutions like the federal Constitution placed their military forces under strict civilian control. One rule adopted by the states seriously hampered the effectiveness of the militia in assisting the regular army: service outside a state's boundary was prohibited unless the governor, the legislature, and in some instances the militia men themselves consented." Winders, *Mr. Polk's Army*, 68.

<sup>654</sup> Cress, *Citizens in Arms: The Army and the Militia in American Society to the War of 1812*, 61-62.

<sup>655</sup> "Companies varied in size, among the states, from 20 to 250 men, and regiments from 300 to 1500. If such diverse units were ever called on to work together as a team, the results might well be as disastrous as in the War of 1812. There was no uniformity in the training given, for the United States Army Infantry Manual was costly and rare in the back country, and no standard artillery and cavalry manuals were in print. Even state manuals were not in use throughout whole states." John K. Mahon, "A Board of Officers Considers the Condition of the Militia in 1826," *Military Affairs* 15, no. 2 (1951): 88.

<sup>656</sup> *Ibid.*, 87-88

<sup>657</sup> Lena London, "The Militia Fine 1830-1860," *Military Affairs* 15, No. 3 (1951): 133-144. See Also; Hackenburg, *Pennsylvania in the War with Mexico*, p. vi.

to establish their own by-laws rather than function according to state regulation. Another part of the problem was that these volunteer companies were not “uniform” in the very essence of the word.<sup>658</sup>

General Emory Upton, who led a Union volunteer regiment in the Civil War, criticized the military legislation of 1861 that created the initial Union Army composed of volunteer militia. “Congress had sanctioned all of the extravagance of the military system under the confederation, by permitting each State to send, subsist, clothe, supply, arm, equip, and transport its troops.” This occurred because the law “was based on the theory of confederation: the troops were to be State, not national.”<sup>659</sup> The militia and volunteer units that belonged to the states were not integrated in organization, equipment, training or discipline. “Washington’s recommendations for a “well regulated militia” having uniform discipline, formations, and the same type of “arms, accoutrements and military apparatus” were never carried out until the Dick of 1903. Prior to that reform; “each succeeding war has found us at the outset with different systems of formation and discipline, and different kinds of arms, accoutrements and military apparatus in the militia of the various states.”<sup>660</sup>

This non-integrated force was in theory the main defense force for the United States. The non-integration of the militia was a political choice. The nationalists had won the argument for the existence of the Regular Army but the anti-federalists won the argument for keeping the militia under the control of the states as a counter balance to the power of the federal government. It was the ideology of the early republic that so feared standing armies and the possible tyranny of a powerful central government that

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<sup>658</sup> “When the independent volunteer companies were thrown together into regiments in the late 1840s they presented a true “rainbow coalition” of uniforms. Traditionally every company chose its own uniform, so kilted “Highland Guards” would be standing alongside red-coated fusiliers in bearskin caps, along with “Continental” in blue and buff uniforms with tricorne hats.” “The Twentieth Regiment of Ulster County was of course formed from such volunteer militia companies to succeed the old 245th Regiment of the old common militia system. Originally these companies included such diverse elements as the “Harrison Guard” in blue, crimson and light blue uniforms, the “Jackson Rifles” in blue and buff, the “Kingston Dragoons,” described as wearing the uniform of the Wurtemberg Light Horse, even to a crested leather helmet short-tailed blue coat and military horse equipments.” “To be fair, however, the companies of the 20th were already more uniform than several of the New York City regiments which did in fact contain sundry companies of Highlanders, Fusiliers, Continentals, Guards and even Zouaves.” Michael J McAfee, “The Twentieth Regiment, New York State Militia, 1861 “Ulster Guard.” *Military Images* 28, no 2 (2006): 24.

<sup>659</sup> David J. Fitzpatrick, “Emory Upton and the Citizen Soldier,” *The Journal of Military History* 65, no. 2 (2001): 382.

<sup>660</sup> Greene, *The Revolutionary War and the Military Policy of the United States*, 294-295.

resulted in the continued control of the state over their militia.<sup>661</sup> This ideology resulted in multiple jurisdictions having the capacity to generate military capabilities guaranteeing that the United States would during this period be a weak partially integrated ASC. Furthermore, this ideology that was manifested in continued state control over its own militia, inherently maintained that state control over the militia was essential *in order to be able to oppose the central government*. The provision and maintenance of a tool whose purpose was justified politically as necessary to fight against the federal government became a self fulfilling prophecy. This is the danger of weak partially integrated Amalgamated Security Communities; being only partially integrated the components of the community do not trust each other enough to become fully integrated and they have the means to engage in civil war should the various components of the community enter into a vicious cycle of increased distrust.

#### **3-4 d. Measuring Independent Variable – The degree of integration of military capabilities and the capacity to produce military capability**

Based on the evidence presented the degree of integration by category can be measured. It is important in this case to point out the capacity to produce military capability was deliberately non-integrated by the Constitution, and the various acts of Congress as well as actions of the states. The integrated and standardized regular army was only *one* of the military forces of the United States during this period and is considered as a separate force that had to work with the forces generated by the states.

**Category 1** - Military forces; consisting of administrative staffs and operational forces.

The administrative machinery developed during the period from being not very integrated to being integrated given the efforts of various Secretaries of War especially the efforts of Calhoun. The development of a permanent staff in Washington composed of multiple departments and the creation of the position of Command General of the Army provided the basis for continued improvement and integration. The effectiveness of the administrative staffs was often in question but the process of providing more and more integrated administration of the military is clear. On the other hand the administration of the militia was under state control. The operational forces were split in almost every

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<sup>661</sup> Cress, *Citizens in Arms: The Army and the Militia in American Society to the War of 1812*, 158.

campaign into groups of Regular Army troops and militia or volunteers. The Regular soldiers formed part of an integrated force within itself. American Armies usually consisted of a core of regular soldiers augmented by militia or volunteers from several states. Almost by definition then the operational forces could not be considered integrated when structured in such a combination. This led to frequent battlefield problems (even disasters) when commanders tried to use these combined forces in the field. They were much more successful when defending a prepared position. Given the reliance on militia or volunteers when the great crisis of the Civil War came (even with the integrated Regular Army establishment) this category can only be seen at best as being at a very low level of integration and will be scored as a 1.

**Category 2.** Arms production and Technology as a factor in arms production.

Arms production was a critical concern for the U.S. during this period. Initially dependent for large quantities of arms on foreign sources the U.S. actively developed arms production capability. Importantly it was government and private manufacture of arms that resulted in a dispersed capacity including some states producing small arms. Cannon production was even more widely distributed and was completely dependant on private manufacture. There was a sharing of low level technology but the competition between private contractors ensured a variety of designs. Therefore, this category must be considered at a low level of integration and will be scored as a 1

**Category 3.** Military technology as a factor in operational (combat) forces.

The various militia forces and regulars shared some common basic equipment however; different units often had different caliber weapons, and later in the period prior to the Civil War there were some units equipped with flintlocks while others had percussion cap weapons. The different weapons used by each side during the Civil War indicates that integration in this category was low and is scored as a 2.

**Category 4.** Creation of combat power; Doctrine, Training, Leader Development, Organization, Materiel, and Soldiers. (DTLOMS)

In this category integration almost completely breaks down. Although the Regular Army was integrated across all elements (DTLOMS) the state militias had almost no commonality. Doctrine in some states was based on U.S. Army regulations but many simply did not have access to the material. Training

varied based on state militia law requirements and later on volunteer unit by-laws or state regulations. It was noted that some volunteer units reported for duty highly trained while others were raw recruits, and some had to 'unlearn' what they had trained to do in order to work with the Regular Army. The Regular Army had the Military Academy and some specialized schools for leader development and training. Various state sponsored military schools existed as well. However, during this period numerous officer appointments at both the state and federal level (particularly in wartime) were based on politics. In addition some states allowed elections for officers. Organization was standard in the regular army but varied greatly between the state militias. Material was either supplied by the individual, community or state in the case of the militia. The Regular Army's equipment was usually standardized and supplied by the federal government. Recruitment of soldiers for the Regular Army was either through the regiment or later through centralized recruiting stations. Militia and volunteers were recruited in a variety of ways. Some militia units were long standing and recruited in their community, others were formed during a crisis by state officials, or by individuals seeking to command the unit. Soldiers pay depended on whether the Federal government agreed to take the unit into federal service as opposed to the state maintaining the troops. Even then the federal government sometimes had to have states maintain the troops when money became tight. Militia soldiers and volunteers maintained the right to go home when their service time ended, as happened in the campaign against Mexico City, regardless of the strategic consequences. This category cannot be considered as integrated and is scored as a 0.

**Category 5.** Use and sustainment of military forces; Command and Control (C2) Communications, Logistics. Command and Control was one of the critical issues regarding the militia and volunteers. The states maintained their control of officer appointments as well as refusing in some cases to place their militia under federal control. There were, on the other hand, occasions where Regular units were placed under the command of Governors (Harrison) or militia generals (Jackson) to provide a core of disciplined soldiers. There were some militia units that refused the orders of Regular Army commanders or were such discipline problems as to be a detriment to operations. Communications and transportation tend to be part of the same problem in this period so that over the wide expanse of the North American



wilderness local commanders often had to operate with limited guidance or information. Logistics was one of the key failures during this period. Dependence on contractors often resulted in low quality for a high price that was delivered late. In the War of 1812 field armies often went without critical supplies or relied on local populations to provide for the army. Both Seminole Wars demonstrated logistic problems. The Mexican War showed some improvements but Winfield Scott had to abandon his supply lines in order to attack Mexico City. By the time of the Civil War however, logistic support for the Union Army was very robust. Militia forces that augmented Regular Army forces in federal service used the same logistic support and in that sense were integrated. However, state units that remained under state control were supported by the state. In this category there was some commonality in basic areas that can be seen because the U.S. did manage to conduct successful operations with combined regular and militia forces. This equals a low level of integration and is scored as a 2.

**Category 6.** Budget issues regarding public goods and burdensharing.

This category is interesting in that it is the most integrated area. The regular Army was supported by the federal government by federal tax revenue. The militia in federal service was funded in the same manner and militia or volunteer soldiers in federal service received the same pay as did the regular soldiers. Furthermore, the Act of 1808 to arm the militia of all the states was an annual federal allocation of funds that provided weapons to all of the states in addition to what they purchased themselves. In this category there was clearly funding of key functions from single source which equals a medium level of integration and is scored as a 3.

When all of the scores of the categories of the independent variable are taken together (Category 1=1, Category 2=1, Category 3=2, Category 4=0, Category 5=2, Category 6=3) the result is an average score of 1.5 which indicates a low level of military integration overall in the period under the Constitution; 1789 to the Civil War 1861. This does not negate the fact that the U.S. was an Amalgamated Security Community by the operational definition of this paper.<sup>662</sup> There is no question

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<sup>662</sup> The operational definition in this paper for an Amalgamated Security Community is: *Amalgamated Security Communities are states (de facto or de jure) composed of two or more previously independent political entities that*

that the Constitution produced a common government out of a voluntary merger of two or more previously independent political entities. Despite the low level of military integration overall, the naval force, coastal defense works, and the Regular Army were very much integrated and were supported by the central government for the benefit of all the component states. The key in this case is the part of the operational definition that ASCs *have integrated a portion of their respective militaries*. It is the multiple jurisdictions with the capacity to create military capabilities that make the U.S. a Partially Integrated Amalgamated Security Community during this period.

### **3-5. American Military Integration, 1862 to the National Defense Act of 1916; effects of the process and identity issues.**

This section seeks to illustrate the process through which the U.S. became a strongly integrated Amalgamated Security Community but is not scored as a separate case. Rather there is an overview of the actions that involve military integration from the Civil War to the National Defense Act of 1916 and the impact that had on issues of identity. This section will not score the level of integration because it deals with the reduction of the multiple jurisdictions that could create military capability and the merging of these into the already integrated Regular U.S. Army. The issue of identity is important because it is tied to the trust necessary for various previously partially integrated communities to become fully integrated as well as an illustration of how the process of military integration and the elimination of multiple jurisdictions with the capacity to produce military capability impacts identity.

#### **3-5. a. Military Integration.**

The volunteers or uniformed militia that enabled the Civil War to begin could not provide the manpower necessary for the entire war. In April 1862, Confederates resorted to conscription, and the Union took a small step in that direction with a Militia Act of 1862 permitting the President to draft militia for three years *if* a state did not meet its quotas for volunteers. The Enrollment Act of March 1863 bypassed the militia clause, basing its authority directly on Congress' power to raise and support armies. It imposed a military obligation on all able-bodied male citizens between twenty and forty five years old.

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*have integrated a portion of their respective militaries and that have voluntarily and formally merged so that they are subject to some form of common government.*

Although this was the first legislation to impose universal federal conscription and set an important precedent, it contained numerous loopholes. It permitted substitution (a hired replacement) and it allowed commutation (paying \$300 to avoid military service). The result was not true conscription but it did generate an increase in volunteering since districts could avoid the draft if they met their quotas.<sup>663</sup>

Following the Civil War the large army of volunteers was disbanded. Congress kept a little over 50,000 regular troops in 1867, but by 1876 Congress cut the Regular Army to slightly more than 27,000 and it remained at that level until the Spanish American War. Although the Regular Army was busy with frontier duty and conflicts with Native American tribes, there were no conventional military operations between the Civil War and the Spanish American War.<sup>664</sup>

It was the formation of the National Guard movement in 1879 as an association of officers of the various state volunteer militia units that led to significant change. The first victory for the National Guard Association was the doubling of the annual allocation of funds for the militia in 1887. The next was that by 1892 every state changed its laws in order to support an organized militia, almost universally called the “National Guard.” Another victory was the defeat of attempts to create a Federal Army Reserve, as well as attempts to increase the size of the Regular Army to fight the war with Spain, but it could not gain enough support to pass legislation to revise the Militia Act of 1792.<sup>665</sup> The Regular Army and National Guard opposed each other during this period in heated terms. The National Guard was able to use its political support to fend off attempts to bypass it as a viable force and the Regular Army eventually got a useful reserve force.

The Spanish American War shows a transition in the generation of military capabilities. Although the National Guard Association pushed for the call up of National Guard units, they had to be sworn in as individuals because they were destined for overseas service which circumvented the legal

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<sup>663</sup> Weigley, *History of the United States Army*, 205-210.

<sup>664</sup> Morris MacGregor, *American Military History, Darkness and Light the Interwar Years, 1865-1898*, Department of the Army, Center of Military History, Army Historical Series, United States Army, (Washington, D. C.: U.S. Government Printing Office, 1989), 282

<sup>665</sup> *Ibid.*, 287. See Also; Weigley, *History of the United States Army*, 282. See Also; Cooper, “National Guard Reform, the Army, and the Spanish-American War: The View from Wisconsin,” 20-21.

prohibition of militia only being used within the U.S. The call up of the National Guard suffered from variations in state preparations; some units were trained and equipped functioning units while others were raw recruits. While the Regular Army provided the majority of the force in Cuba, 75 percent of the forces in the Philippines were National Guard units until 1899. Another important element was Congressional authorization for the recruitment of 3,000 federal volunteers “with special skills” from the nation as a whole. The most famous of these was the 1<sup>st</sup> U.S. Volunteer Cavalry; the “Rough Riders.”<sup>666</sup> After the end of the Spanish American War the National Guard units and volunteers returned home. The ongoing conflict in the Philippines and the Army Act of 1899 kept the Regular Army at its war time strength. Most importantly it called for the recruitment of 25 new *federal* volunteer regiments (35,000 men) through July 1901.<sup>667</sup> Using the precedent set by units like the Rough Riders, and unlike previous volunteer regiments, these soldiers did not come from the state organizations but were directly recruited, trained and organized by the federal government. The importance of these regiments was that; “if state volunteers were the lineal descendants of the neighborhood companies that made up the Civil War armies, then the U.S. Volunteers looked forward to the national citizen soldier armies of the twentieth century.”<sup>668</sup>

The next major reform was the Dick Act of 1903. The Regular Army wanted a federal reserve and did not want to include the National Guard. This was impossible given the political power of the National Guard so the Secretary of War, Elihu Root, worked with Guard officers who advocated the repeal of the Militia Act. The Dick Act divided the militia into the Reserve Militia, (all able bodied males between 18 and 45) and the Organized Militia that would receive federal support, i.e. the National Guard. The National Guard was to be given equipment and modernized at federal expense and federal funds would pay for summer training camps. National Guard officers were to attend Regular Army schools at federal expense. There would be joint Regular Army and National Guard maneuvers and training camps paid for by the federal government including the National Guard soldier’s pay. Regular Army officers

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<sup>666</sup> Weigley, *History of the United States Army*, 296-297. See Also; Cooper, “National Guard Reform, the Army, and the Spanish-American War: The View from Wisconsin,” 21-22.

<sup>667</sup> Graham A. Cosmas, “Military Reform after the Spanish-American War: The Army Reorganization Fight of 1898-1899,” *Military Affairs* 35, no. 1 (1971)

<sup>668</sup> Brian M. Linn, *The Philippine War: 1899-1902* (Lawrence, KS.: University Press of Kansas, 2000), 125.

were to be sent out to National Guard units to be instructors and inspectors. There was a price for the federal support. The National Guard was required to follow Regular Army standards for training, equipping, and organizing its units. If Guard units failed to meet the training standards or administrative regulations they would lose their federal funding. The most important part of the Dick Act was that it gave the President the power to call the National Guard directly into federal service for up to nine months. The Dick Act was amended in 1908 eliminating the nine month limit giving the President the authority to determine the length of federal service. The 1908 amendment also stated that the National Guard could be called up for federal service outside the territory of the U.S. but the Attorney General pronounced this to be unconstitutional in 1912 maintaining the ban on foreign service.<sup>669</sup> Congress increased appropriations for the National Guard to the extent that in the first fifteen years of the twentieth century three times as much money was spent on the National Guard than had been spent on the militia during the entire previous century.<sup>670</sup> This was still not enough to make the National Guard uniformly effective as a national reserve. State funding remained the determinant of how effective the various units were. By 1915 as the Regular Army was planning for the possibility of involvement in WWI the dispute between the National Guard and the Regular Army came to a point of decision. The Regular Army believed that in light of the determination that the National Guard could not constitutionally serve overseas that it could not be an effective reserve force. The problems with Mexico in 1916 that led to the Punitive Expedition pressed Congress to pass the National Defense Act of 1916. The Regular Army was increased and reorganized, and a permanent federal army reserve was created. Part of the act reaffirmed the obligation of universal military service but it outlined the requirement for service as an obligation to the *nation*. The impact on the National Guard was tremendous. First, the National Guard was to expand to over 400,000 troops and the federal government would pay for most of the National Guard expenses. Next, the War Department would determine the number and types of a state's National Guard's units. The War Department also was to impose uniform enlistment contracts and set standards for officer's commissions

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<sup>669</sup> Weigley, *History of the United States Army*, 320-325.

<sup>670</sup> Edward M. Coffman, "The Duality of the American Military Tradition: A Commentary," *The Journal of Military History* 64, no. 4 (2000): 976.

as well as increased training requirements. On entering the National Guard soldiers were required to take both state and *federal* oaths and could be drafted into federal service.<sup>671</sup> The National Defense Act made the National Guard a partly federal and partly state force in peacetime but completely federal in time of war. This federalization of the National Guard makes it an extension of the Regular Army subject to being used by the federal government how and wherever it wants.<sup>672</sup> This allowed the U.S. to use the National Guard in both World Wars even though the vast majority of soldiers in both conflicts were draftees. The National Defense Act of 1916 put an end to multiple jurisdictions having the capacity to produce military capability in the United States. The use of mass conscription completely moved the generation of military capabilities into the federal government's control. This created a strong Amalgamated Security Community in the United States which now follows the principle that the Active Army, National Guard, and Army Reserve are components of a single army. Military integration deepened after the Goldwater-Nichols Act of 1986 mandated Joint integration of all services Army, Navy, Air Force, and Marines for war-fighting.

### **3-5. b. Identity issues**

There is another aspect to the military integration process described above. The process that resulted in the National Defense Act of 1916 greatly increased funding and ensured that the National Guard would be the primary reserve force for the U.S. In exchange, however, the supporters of the National Guard made a Faustian bargain that stripped the National Guard of most all of its autonomy as well as its local identity. The militia originated as a local defense force and it remained a local force until the Dick Act. The militia served more functions than just being a part-time military force.

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<sup>671</sup> Weigley, *History of the United States Army*, 344-350. See Also; Gene M. Lyons and John W. Masland, "The Origins of the ROTC," *Military Affairs* 23, no. 1 (1959): 1-12.

<sup>672</sup> "In effect, the act provided that the National Guard could be called into federal service, at which point guardsmen would be part of the army, and not the state militia. This change in characterization had tremendous implications. ... the militia clause of the Constitution limits the uses of the militia by the federal government. The use of the army, under the army clause, is not so limited. Thus, when federalized, the National Guard is no longer subject to the restrictions of the militia clause and may be used in the same way as the standing army." John F. Romano, "State Militias and the United States: Changed Responsibilities for a New Era," *The Air Force Law Review* 56, (January, 2005): 243.

“As more than an occasional military force, the militia established community identities and social structures, participated in politics, kept the public peace, and encouraged economic activity.”<sup>673</sup>

In an era where there was no opportunity to support a local amateur or professional sports team and faith usually had a number of expressions, the militia performed important aspects of social influence and the creation of community identities during a period in which there was no other universal institution that could unite a community. There were few diversions from the task of survival that could command the attendance of a community other than that of universal compulsory militia service. Militia musters were the largest social gathering of community residents in which “men would gather in small groups to play at politics, swap horses, engage in rough and tumble, debate the leading questions of the day, or simply exchange news.”<sup>674</sup> In an era prior to wide spread annual county fairs, militia musters and reviews filled that social function and drew enthusiastic civilian crowds.<sup>675</sup> The militia muster and review was also a significant social institution for young boys who eagerly anticipated the chance to participate. “Much of the social life of the community centered around the military organizations, and these were quite willing to assume this civic role.”<sup>676</sup> In addition to providing entertainment, the militia events directly fostered the formation of community identity.

“In addition to encouraging national and regional affiliations, the militia promoted an awareness of locality, a sense of community, and a bond of neighborliness. Muster days, often more a bacchanalian fete or martial burlesque than opportunities for serious military training, were indeed anticipated community events throughout the United States. Individuals from every corner of the community lined the streets to watch the militia perform. Crowds gathered to watch the military procession, partake ‘of an excellent Barbecue,’ and enjoy the traditional toasts. With citizen-soldiers leading the crowds, all were united by the day’s experiences, if not a shared table.”<sup>677</sup>

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<sup>673</sup> Harry S. Laver, “Rethinking the Social Role of the Militia: Community-Building in Antebellum Kentucky,” *The Journal of Southern History* 68, no. 4 (2002): 779.

<sup>674</sup> Ibid., 778.

<sup>675</sup> “In the more isolated areas muster and review was a time of refreshing in a secular vein... There was trading, gambling, and courting. There were games of sport, such as footraces, kicking the hat, throwing the rail, and gander pulling. There were salesmen for the cities to press on the rustics their ‘slow’ merchandise. At the first opportunity, and ambitious politician would harangue the crowd on the issues of the day and shout reasons why he should be elected to office. It was the event of the season, or year! And no person, isolated and with few such opportunities, would miss it if possible.” John Hope Franklin, *The Militant South, 1800-1861*, (Cambridge, Mass.: Harvard University Press, 1956, page citations are to the 2002 reprint edition), 182

<sup>676</sup> Ibid. p. 184

<sup>677</sup> Laver, “Rethinking the Social Role of the Militia: Community-Building in Antebellum Kentucky,” 786.

Besides the opportunity for the entire community to socialize, Militia musters also incorporated rituals, ceremonies and extensive symbolism designed not only to create, but also to affirm, a communal identity. In terms of collective identity, rituals serve both an integrative function as well as to delineate distinctions. Rituals do not however, have to be separate from common group practice on special occasions; they can function to affirm group identity when common practice is ritualized.<sup>678</sup>

“The significance of such gatherings, however, was of greater import than the relief they gave from sun and plow and the opportunity they provided to turn out in military splendor. First, militia events encouraged the cultivation of a national identity, a personal association with the United States that took root in the Revolutionary era. Second, the militia advanced a regional identity by promoting an affinity for Kentucky and the western reaches of the country. Third, gatherings of citizen-soldiers strengthened the ties that bound disparate individuals into a local community of neighbors. Lastly, the militia's public appearances reinforced the social hierarchies of race, class, and gender, while maintaining the cross-class hegemony of white males. In short, citizen-soldiers, beyond being the nation's first line of defense, gave substance and form to the complex and still inchoate sensibility of shared identities on the frontier”<sup>679</sup>

The militia participated in more than just regular musters. There were special events and competitions as well as participation as honor guards, escorts and parades to include significant funeral corteges.<sup>680</sup> The militia musters and special events were closely tied to local politics and allocation of power in the community and state. The chief method of political persuasion of the time was public oration and the only opportunity to speak to all of the voters at once, especially in rural areas, was during militia gatherings.<sup>681</sup> Also, serving as a senior officer in the militia could be used as a platform for political advancement.<sup>682</sup> As the number of ‘volunteer’ units from the 1820’s through the 1850’s grew, these units frequently would engage in regular competitions with units in other towns (or within a city if it had more than one unit), often traveling considerable distances. The official hosts would be the volunteer unit but the entire

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<sup>678</sup> Joseph C. Hermanowicz and Harriet P. Morgan, “Ritualizing the Routine: Collective Identity Affirmation,” *Sociological Forum*, Vol. 14, No. 2 (Jun., 1999), pp. 197-214

<sup>679</sup> Laver, “Rethinking the Social Role of the Militia: Community-Building in Antebellum Kentucky,” 780

<sup>680</sup> “Just as fetes joined people in an expression of pride, comity, and happiness, public funerals provided an opportunity for mourners to gather in a mutual expression of grief and loss. The militia again provided the model for order and deference, and the hierarchical ladder, with its complex ordering of class, gender, and race, made its way from church service to graveside.” *Ibid.*, 793

<sup>681</sup> “Militia events underscored the elevated status and influence of both militia and civilian leaders by providing them a platform to address the larger community. As significant as the words spoken and meanings conveyed was the selection of the particular men who spoke; access to the stage equaled access to power.” *Ibid.*, 789

<sup>682</sup> Eysturliid, “An Opportunity to Show Their Epaulets and Feathers: The South Carolina Militia During the First Secession Crisis, 1848-1851.”



community would assist in entertaining the guests. The event would turn into a holiday and be the occasion for parties and dinners in honor of the guests.<sup>683</sup> All of the militia events provided an opportunity to demonstrate local pride in ‘their’ militia as well as a town’s hospitality.<sup>684</sup> Volunteer militia units organized themselves, provided their own uniforms and named themselves with a multitude of names designed to indicate their distinctiveness. Some unit names were based on their town and function (e.g. Kingston Dragoons, Greensboro Artillery, Philadelphia Rangers) others on their town and uniform (e.g. Nashville Greys, Brownsville Independent Blues) and others on famous leaders (e.g. Monroe Guards, Jefferson Guards, Washington Artillery) others on their ethnic heritage (e.g. Independent Irish Greens, American Highlanders) while some embraced simplicity such as the Fayette County Volunteers.<sup>685</sup> The names given by the local volunteers to set themselves apart from other militia units at the same time functioned to provide local communities a symbolic moniker to focus communal identity around “their” unit, much as high school mascots do in contemporary culture.

A very interesting history of one such unique volunteer unit examines the process of the dissolution of community ties and linkages to community identity as the unit transitioned from being a militia unit to becoming part of the National Guard. It highlights the transformation of the generation of military capabilities in the U.S. away from the direct involvement of communities and local elites to being completely under the jurisdiction of the federal government. The “Richardson Light Guard” (RLG) of South Reading (later Wakefield), Massachusetts, was formed in 1851 as part of the Massachusetts Volunteer Militia (MVM) that was created when the old militia system was revised and divided into an active militia and reserve inactive militia. The term “Light Guard” reflected the function of the unit as light infantry while “Richardson” referred to a prominent local businessman. The unit belonged to its

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<sup>683</sup> Franklin, *The Militant South, 1800-1861*, 183-184.

<sup>684</sup> “Each of these militia occasions presented participants with a menu of toasts and speeches that drew upon a common set of symbols and ideologies to promote nationalism, regionalism, and localism simultaneously.” Laver, “Rethinking the Social Role of the Militia: Community-Building in Antebellum Kentucky,” 783.

<sup>685</sup> Every company in the two regiments from Pennsylvania that were entered into federal service for the Mexican War were independent volunteer companies with distinct names. Hackenbourg, *Pennsylvania in the War with Mexico*, 5-8. See Also; McAfee, “The Twentieth Regiment, New York State Militia, 1861 “Ulster Guard.” 23-26. See Also; Franklin, *The Militant South, 1800-1861*, 174-176.

soldiers and to the community.<sup>686</sup> The unit fought in the Civil War and “returned as a unit to a glorious homecoming in its hometown.” Between the Civil War and the Spanish American War the unit was not called for any state or federal service but conducted its regular drills, parades and events along with social functions. In 1891 the town (now Wakefield Massachusetts) purchased land and constructed a new rifle range and facilities using mostly town funds a little bit of state funding but no federal money. In addition to providing one of the finest ranges in the state the town funded the construction of a new armory in 1895. The “Richardson Light Guard” fought in the conquest of Puerto Rico during the Spanish American War as Company A, Sixth Massachusetts Infantry Regiment MVM. The town continued to support “its unit” during the war and even raised money for the men in the RLG to supplement the sometimes-delayed federal pay, and the Citizens' War Relief Committee of Wakefield, sent \$250 to the RLG for the men to buy extra food on the trip home. On its return the unit was greeted by a massive celebration by the entire town including special attention by Civil War veterans of the unit. “Not lost on observers was the symbolism: the old veterans of the town militia from the Civil War welcoming back into the community the latest incarnation of the town militia from newer distant battles.” “The company and the town celebrated the exploits of their company, not the regiment to which it belonged.”<sup>687</sup> This was both the highpoint for the RLG as a town militia and its swansong as a “town” militia. The 1903 Dick Act changed the relationships between the federal, state, and local institutions involved with the militia. “National Guard” became the official term for the organized militia and the RLG had to conform to Regular Army organization, equipment, and discipline. Massachusetts used the unit for strike duty in 1912, built a new state-owned and controlled armory in 1913 and instituted state drill pay in 1914 that effectively made the

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<sup>686</sup> “Prominent local men were welcomed as “honorary members,” meaning that they could pay membership fees and claim association with the company, but not wear the uniform or train. Nor were they expected to serve during times of strife. Honorary members not only were a source of cash for the company, but also tied the company to the vested interests and leaders of the town. Honorary membership also provided a way for new residents to become involved in the community. The list of honorary members included most of the wealthy men of South Reading, who repeatedly appeared on boards of directors, committees, and philanthropic endeavors within the town. The largest financial donation came from Dr. Richardson, a prominent local physician and businessman. In gratitude for his generous gift, and to link the new institution with one of the most respected names in South Reading, the naming committee proposed calling the militia company the “Richardson Light Guard.” Barry Stentiford, “The Meaning of a Name: The Rise of the National Guard and the End of a Town Militia,” *The Journal of Military History* 72, no 3 (2008): 727.

<sup>687</sup> Ibid.

RLG a National Guard unit primarily supported by the state rather than the town. The real separation came when the National Defense Act of 1916 created a dual status with dual oaths (to the state and federal governments) that allowed units such as the RLG to be ordered directly into federal service. Increased federal funding of the National Guard made town contributions to the unit redundant. The Navy and Marines took the town provided rifle range in WWI and then the state took it over. The RLG like most National Guard units during the World Wars did not serve as a unit but was broken up with its men filling other army units. There was no unit celebration when they returned from combat. The U.S. Army assigned the RLG's designation following WWI as Company E of the 182nd Regiment Twenty-sixth Division. Between 1920 and 1941 only half of the unit's drilling soldiers came from the town of Wakefield. At the end of WWII none of the soldiers in Company E 182nd Regiment returning from combat in the Pacific came from the town of Wakefield. The use of mass conscription had diluted and eliminated the linkage to the town. The post-war National Guard unit in Wakefield kept the same designation and although some residents referred to it as the "Richardson Light Guard," it never was recognized as such nor were most of the drilling Guardsmen from the town. The residents of Wakefield tended to serve in units in other towns since the specialization of units precluded purely town based organizations and so the town paid little attention to the National Guard unit. Even the centennial of the RLG in 1951 received little recognition from the town or National Guard despite its history and combat accomplishments. In a 1975 reorganization of the Massachusetts Army National Guard the town lost its armory and the company.<sup>688</sup>

“Increased state and later federal control broke a critical bond between town and company. The RLG was as much an institution of the town of Wakefield as were the schools, library, and fire departments. It was created by a town, maintained by that town, later with the assistance of the commonwealth, and served as an institution of the town in war and peace. As the local National Guard company, which bore the heritage of the Richardson Light Guard, became an institution more of the commonwealth and later the federal government, the bond with the town was broken, and the Richardson Light Guard ceased to exist.”<sup>689</sup>

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<sup>688</sup> Ibid.

<sup>689</sup> Ibid.

The unstated consequence to the loss of local or town linkage to the militia as it became a legal extension of the Regular Army after 1916 is that the identity functions of the local militia ceased. The process that transitioned local militia into a legal extension of the Regular Army did not eliminate state loyalty since there is a dual status, but it did focus military ceremony, symbolism and ritual more on national identity. For example, although the unit that had been the Richardson Light Guard was not recognized as a unit following the World Wars, the soldiers were recognized; but they were recognized for service in federal military organizations (Army, Navy, Marines) not state or local military organizations. The symbolism and ritual of *national* military sacrifice became dominant after 1916; the Tomb of the Unknowns in Arlington for example to commemorate the fallen in WWI was dedicated on 11 November 1921, Armistice Day. The focus and genesis of Armistice Day (now Veterans Day) was on the national military. That is different from the origins of Memorial Day at the local level designed to commemorate regional and state military sacrifice that only later evolved to a national focus after WWI; roughly paralleling the process of increased military integration that made the U.S. a strong Amalgamated Security Community.

Objections regarding causality should be noted. First, this process was not creating a national identity; that already existed. What this process did was to transform a partially integrated Amalgamated Security Community into a strong Amalgamated Security Community. The claim here is that the process of military integration eliminated the local identity of military forces, significantly reduced the state identity of military forces and dramatically increased the national identity of American military forces which in turn reinforced the overall conception national identity eventually making it superior to other identities. This point is critical and tied to the constructivist literature guiding this study. Shared perceptions of identities and interests construct meaning or purpose as well as shape the behavior of actors. Their behavior either reinforces existing ideas about their identities and interests or gives new meaning to them. This intersubjective knowledge is the basis for a structure constraining and shaping behavior through social interaction and this process allows actors to ‘co-constitute and co-determine’ each other within this structure. So though the structure shapes the actors, the structure itself is also

constructed and altered by the interaction of its constituent actors.<sup>690</sup> The structure in this instance is the one created by the states as actors in the Constitution and by Congress as an actor in the Militia Act that formally structured the relationships between the states and the federal government regarding the jurisdiction for the capacity to create military capabilities. The process of military integration fundamentally altered that structure and not only had tangible military consequences but also resulted in an identity shift as the structure reshaped the actors and their relationship in the critical basic area of generating military forces.

This change can be observed at the individual level as well. Individuals have multiple identities based on differing relationships so while one shared identity was that of being a citizen of the United States another simultaneously valid (and in cases stronger) identity was being a citizen of a particular state. Early Americans were primarily focused on their local community not only because of transportation and communication difficulties but also because they believed that their local and state militia had won their freedom in the Revolution; not the national Continental Army. It is this perception of who is categorized as a “brother-in-arms” that is crucial to the construction of an “us” vs. “others” identity. It is this shared idea (i.e. what constitutes us and other) that gives meaning to material objects and forces such as local militia vs. national army. On the other hand the national identity cannot fully develop without the assurance that the members of “the United States” are not only not a threat but are in fact fighting to defend “the United States” together rather than each constituent state separately. The critical change in the process of military integration was the elimination of multiple jurisdictions having the capacity to create military capabilities. A prime example is the story of Robert E. Lee who had a long career as an officer in the Regular Army of the United States. Lee graduated from the U. S. military academy at West Point, served with distinction in Mexico receiving numerous commendations from General Scott, was Commandant of the military academy at West Point, commanded a Regular Army

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<sup>690</sup> Refer to: Alexander Wendt, *Social Theory of International Politics* (Cambridge, U.K.: Cambridge University Press, 1999); Ted Hopf, “The Promise of Constructivism in International Relations Theory,” *International Security* 23 (1998).

Cavalry Regiment and was Winfield Scott's choice to lead the Union Army. Despite all of this Lee resigned from the Army writing his sister:

“With all my devotion to the Union, and the feeling of loyalty and duty of an American citizen, I have not been able to make up my mind to raise my hand against my relatives, my children, my home. I have therefore resigned my commission in the army, and, save in defense of my native state--with the sincere hope that my poor services may never be needed--I hope I may never be called upon to draw my sword.”<sup>691</sup>

As soon as he arrived in Richmond he was made commander of that state's forces. It is clear that Lee had multiple identities, but his identity as an American citizen was not as strong as his identity as a Virginian, although other Virginians, including Winfield Scott, remained with the Union. Lee made a choice of identity; specifically a choice to the local / state military over the national military although he served for a long time as a U.S. soldier in senior positions and with distinction. The process of military integration that resulted in the National Defense Act of 1916 eliminated that type of identity choice. This has a direct link to recent scholarship regarding Social identity and self-categorization theories examining the salience of race categories and American national identity. In terms of policy, when a sub-group identity is salient, e.g., an individual state, the focus will be on the consequences of a policy for that state, whereas if a superordinate identity is salient, e.g., the nation, then the focus will be on the consequences of a policy for the nation.<sup>692</sup> The relationship of this research to the process of military integration is that military integration eliminates the sub-group identity of local and state military forces leaving only the superordinate identity of national military forces. How the military is created and the structure of jurisdictions for the capacity to create military capabilities has a direct impact on the identity of that force and the nation. The process of military integration in the U.S. eliminated the local and state military as components of U.S. identity leaving only the national military force as the institution through which we define soldiering and what it means to be a soldier.

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<sup>691</sup> John William Jones, *Personal reminiscences, anecdotes, and letters of Gen. Robert E. Lee*. (New York: D. Appleton and Company, 1875), 139.

<sup>692</sup> John E. Transue, “Identity Salience, Identity Acceptance, and Racial Policy Attitudes: American National Identity as a Uniting Force,” *American Journal of Political Science* 51, no. 1 (2007): 78-91.

A second objection to causality of military integration increasing American national identity affiliation over state affiliation would be that an increase in technology or media that produced greater opportunities for social interaction or development of social networks used by elites that reinforced national identity became more prevalent during this time. This is contradicted by the evidence of strong local support for local military units in 1898 and then by the dissolution of those bonds during the First World War. The twenty years between 1898 and 1918 did not demonstrate a great breakthrough in technology that produced greater opportunities for social interaction or development of social networks. The railroads, telegraphs and newspapers of 1918 were not markedly superior to those of 1898. The Hearst papers of 1898 were certainly capable of leading national opinion. The movie industry during those twenty years was not ubiquitous as it later became and the greatest work from the period focused on regionalism and bigotry not on unifying national symbolism (i.e. Birth of a Nation). The period was also marked by domestic anti-imperialism especially opposition to the war in the Philippines. On the other hand that conflict involved national volunteers as well as regular soldiers which place that conflict squarely in the integration process.

The U.S. is an imagined political community, but the conception of that community and what constitutes its identity changed over time; and the process of military integration played a significant part in that transformation. The legal structure of multiple jurisdictions with the capacity to create military capability reflected political realities that precluded, at that time (1789), further integration. The development of an Amalgamated Security Community in this case involved the retention of sovereignty and identity at the state level. The basis for the retention of state sovereignty was the state militia which also allowed a strong identity to be retained at the state level as well. The process of military integration eliminated the local and state military forces as actors as well as sub-ordinate institutions leaving only the superordinate national military as a force for boosting national identity in a strong ASC.

#### **4-6. Examples of other partially integrated Amalgamated Security Communities.**

The following examples serve to illustrate that the conditions of partially integrated Amalgamated Security Communities exist in other cases. Although these are not case studies the similarities to include

the danger of civil war enabled by the existence of multiple jurisdictions with the capacity to produce military capability will be evident. One instance of a military integration process leading to a strong Amalgamated Security Community is included, while the other example has yet to be resolved.

**3-6. (a.) Switzerland** – was a partially integrated Amalgamated Security Community until it adopted its constitution of 1848 following a civil war. It is particularly relevant to the U.S. case since numerous founding fathers thought the Swiss example was worthy of emulation. George Washington, when he submitted his recommendations for a peacetime military establishment (Sentiments on a Peace Establishment, May 1783) pointed to the Swiss as an example for the militia and wrote;

“...we might see, with admiration, the Freedom and Independence of Switzerland supported for Centuries, in the midst of powerful and jealous neighbors, by means of a hardy and well organized Militia.”<sup>693</sup>

**3-6. (a.) 1. Brief History of Switzerland related to militia and 1847 civil war**

The Swiss Confederation traces its origin to the oath (actually a written treaty) of mutual support sworn between the three cantons of Schwyz, Uri and Unterwalden in 1291 to preserve their local autonomy. The decisive defeat of the Austrians at the Battle of Morgarten in 1315 prompted a revision of the terms of confederation that remained in effect until 1798 and made the Swiss Confederation an alliance against the Hapsburgs. The Swiss Confederation gradually expanded, defeating the Austrians several times establishing the Swiss reputation as fierce fighters. The Swiss became much sought after mercenaries serving in a variety of armies. By 1513 there were thirteen independent states in the Swiss Confederation.<sup>694</sup> When the Swiss lost decisively at the Battle of Marignano in 1515 it began a tradition of partial neutrality in which the Swiss decided that they would not undertake any offensive military actions. On the other hand the 13 Cantons agreed that to add to their income they would still fight as mercenaries in other people's wars.<sup>695</sup> Switzerland's cantons include several ethnic groups and languages

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<sup>693</sup> Wright and MacGregor, *Soldier-Statesmen of the Constitution*, 196.

<sup>694</sup> Bonjour, Offler, and Potter, *A Short History of Switzerland* (Oxford: Oxford University Press, 1952), 69-140. See Also; Georg Thurer, *Free and Swiss* (Coral Gables, FL.: University of Miami Press, 1971), 23-44. See Also; William Denison McCrackan, *The Rise of the Swiss Republic: A History* (Boston, Mass.: Arena Publishing Company, 1892), 69-243.

<sup>695</sup> “The militia was then, as it has generally remained, cantonal in character. The cantons did the selling of soldiers.” John McPhee, *La Place de la Concorde Suisse*, (New York: Farrar, Straus, and Giroux, 1984), 53.



and are also divided between Protestant and Roman Catholic. There were internal clashes associated with the Reformation. The peace treaty following the second Kappel War was significant in that all of the cantons agreed to respect the religious choice of the others and in some cases cantons became bi-confessional. Switzerland did benefit from the Treaty of Westphalia since all the European powers recognized Swiss independence.<sup>696</sup> In 1798 the French Revolutionary Army invaded the Swiss Confederation and created a client buffer state out of the Swiss Confederation called the Helvetic Republic.<sup>697</sup> After the defeat of Napoleon Switzerland received guarantee for its territorial integrity and was recognized by the Congress of Vienna as a permanently neutral state. A new Federal Pact was signed in August 1815 in which the cantons recovered their most of their sovereignty. A key provision was that the Federal Pact prohibited internal alliances between the cantons which might be harmful to the Confederation. The period between 1815 and 1830 involved the restoration not only of the autonomy of the cantons, but also of the privileges of the aristocracy, guilds, and the conservative authorities from the old confederation. Liberals in Switzerland responded by focusing on fostering a Swiss identity through numerous societies like the patriotic student association, singing societies, and the annual Federal Shooting Match (*Schützenfest*) and *Schweizerischer Schützenverein* (SSV, or Swiss Shooting Federation) begun in 1824.<sup>698</sup> In 1830 many Swiss cantons adopted liberal constitutions, ended censorship, and established representative governments. The regeneration as it is called also included rural towns redressing the inequalities in which the cities dominated the cantons. Five conservative cantons who wished to preserve the old order withdrew their representatives from the Federal Diet and formed the

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<sup>696</sup> Bonjour, Offler, and Potter, *A Short History of Switzerland*, 141-184. See Also; Thurer, *Free and Swiss*, 46-66. See Also; McCrackan, *The Rise of the Swiss Republic: A History*, 251-281.

<sup>697</sup> Bonjour, Offler, and Potter, *A Short History of Switzerland*, 213-240. See Also; Thurer, *Free and Swiss*, 77-95. See Also; McCrackan, *The Rise of the Swiss Republic: A History*, 295-313.

<sup>698</sup> The Swiss history of shooting matches and marksmanship went back to the middle ages and helped recall Swiss military unity- it was also linked to Swiss mythology – William Tell. Article I of the Swiss Shooting Federation is focused on Swiss identity. “To draw another bond around the hearts of our citizens, to increase the strength of the fatherland through unity and closer connections, and at the same time to contribute, according to the capacity of each of our members, to the promotion and perfection of the art of sharpshooting, an art beautiful in itself and of the highest importance for the defense of the confederation.” Stephen P. Halbrook, “Citizens in Arms: The Swiss Experience,” Paper presented at the Symposium on the Legal, Economic, and Human Rights Implications of Civilian Firearms Ownership and Regulation, May 2, 2003, at the Tower of London. Available from [http://www.stephenhalbrook.com/law\\_review\\_articles/citizens-in-arms.pdf](http://www.stephenhalbrook.com/law_review_articles/citizens-in-arms.pdf) Internet; accessed 15 May 2010

League of Sarnen. In 1833 when fighting between rural townspeople and the cities in two of these cantons became serious the Federal Diet mobilized a Federal army to suppress the unrest and sent the force to dissolve the League of Sarnen and force the cantons to send representatives to the Diet.<sup>699</sup>

The Civil War was spawned by the forces of conservatism in opposition to liberal reform but it also had a strong element of religious opposition in which the conservative forces tended to be Catholic as well. The Cantons of Aargau and Valais were the scenes of political violence prior to the Civil War. In Aargau two Catholic monasteries were implicated in purchasing arms and agitating for secession which led to a short but violent confrontation that was suppressed by the canton's forces. The government of Aargau was under the control of the Radical Party and its associated group the 'Young Swiss' (*la jeune Suisse*) which was the most liberal party. They responded by abolishing all monasteries and nunneries in the canton. Lucerne brought the matter before the Diet which agreed that Aargau had violated the Federal Pact. In the canton of Valais a liberal government was elected and the Bishop in the canton then excommunicated all members of the society of 'Young Switzerland' and their relatives while the catholic forces in Upper Valais formed a militia. In May 1844 after organizing and training the force it marched on the canton government and removed it from power. No Federal intervention occurred because Lucerne had supported the military preparations of the Upper Valais and had been able to delay action by the Diet since it was the *Vororte* or host canton for the Diet for 1843-1844. This increased the tension between the Protestant and Catholic cantons. At this point Lucerne invited the Jesuits to take over the schools in their canton. Even though it was legal the Jesuits were seen as the opposite of everything the liberal forces were working for especially the separation of church and state as well as secular education. Radical armed partisans (*Freischarler*) conducted two attacks to overthrow the government of Lucerne; an inconsequential one in December 1844 and a large one in March 1845, but both failed.<sup>700</sup> In response to these attacks the seven catholic cantons (the former 'Borromean League') met in Lucerne in December

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<sup>699</sup> McCrackan. *The Rise of the Swiss Republic: A History*, 319-328. See Also; Bonjour, Offler, and Potter, *A Short History of Switzerland*, 245-255. See Also; Thurer, *Free and Swiss*, 97-104.

<sup>700</sup> Joachim Remak, *A Very Civil War; The Swiss Sonderbund War of 1847* (Boulder, CO.: Westview Press, 1993), 20-44. See Also; W. B. Duffield, "The War of the Sonderbund," *The English Historical Review* 10, no. 40 (1895): 678-684

1845 and secretly formed the Sonderbund (separate league), pledging that in the event of an “attack on one or any other number of them they will, to maintain their sovereign and cantonal rights, engage in a joint defense with every means at their disposal.”<sup>701</sup> The Sonderbund then appointed a Council of War, making it an alliance with a central military authority. Since the Sonderbund Council of War was composed of the heads of Government of the seven cantons it also functioned as the group’s lead political body. In the Diet the legality of the Sonderbund was quickly disputed based on the provision in the Federal Pact that prohibited internal alliances between the cantons. The situation was a stalemate until Geneva elected a liberal Radical government in October 1846, and then the canton of St. Gall also elected a liberal Radical government in May 1847. At the same time the *Vororte* or host canton for the Diet changed to Bern. The head of the Bernese government was Ulrich Ochsenbein who had led the second failed Radical armed partisan (*Freischarler*) attack on Lucerne in March 1845. By the rules of the Federal Pact he was the presiding officer of the Diet and Federal President. His assumption of power was seen by the Sonderbund as a declaration of war. Citing the creation of a War Council and separate military organization of the Sonderbund the Diet ordered it dissolved on 20 July. On 16 October the Sonderbund War Council ordered the mobilization of its military forces. After efforts to negotiate a settlement failed the Diet ordered the mobilization of 50,000 Federal troops on 24 October. On 3 November Sonderbund troops attacked the canton of Ticino to take control of the St. Gotthard Pass. The attack caused the Diet on 4 November to issue a ‘Decree of Implementation’ which authorized the use of force to carry out the orders of the Diet. To lead the Federal Army the Diet chose Guillaume Henri Dufour, Chief of the General Staff of the Swiss Federal Army. General Dufour viewed his mandate to dissolve the Sonderbund as limited to actions that would preserve the union not convert or punish the Catholic cantons. To win the conflict he decided to use the superior force of the Federal Army to outmaneuver his opponent and win as humanely and with the least bloodshed possible in order to moderate any post conflict political distress. General Dufour’s plan was to concentrate his army and overwhelmed the three major Sonderbund cantons Fribourg, Lucerne, and Valais in succession rather than attack all of the

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<sup>701</sup> Remak, *A Very Civil War; The Swiss Sonderbund War of 1847*, 47.

Sonderbund cantons at once. The plan worked well and quickly at the cost of fewer than 150 killed and less than 450 wounded on both sides. The entire conflict was over in less than a month, which precluded outside intervention. The Federal troops for the most part acted with compassion and charity and refrained from looting or destruction which greatly helped in the reconciliation of the two sides. From March through April 1848 a constitutional Diet created a new constitution which was approved in September 1848; with amendments it remains the Swiss constitution.<sup>702</sup>

### **3-6. (a.) 2. The Government**

There are two important governments to examine: the Federal Pact or (Bundes-Vertrag) of August 1815 in which the cantons recovered their most of their sovereignty not restored in the Act of Mediation; and the constitution of 1848. Under the Federal Pact of 1815 the Federal government consisted of the Federal Diet (Tagsatzung) composed of representatives from each of the 22 cantons; each canton had one vote in the Diet. The representatives voted based on instructions from their canton. The Diet was the supreme military authority, was responsible for foreign affairs, and could decide matters of war and peace by a three fourths majority. The Diet met in one of three representative cantons (Vororte) Zurich, Berne, and Lucerne on a two year rotating basis. The only federal officials were the chancellor and secretary. A Federal board of arbitration was created to settle internal disagreements. To defend Swiss neutrality the Federal government could call up an army of about 33,000 based on contributions from the cantons equal to 2 per cent of their population (and did so to dissolve the League of Sarnen). A war fund was established at the federal level to pay for federal military operations with money derived from customs duties on imports. The cantons retained the right to make trade agreements and military capitulations (mercenary lease agreements) with other countries, as well as control over the police and all economic issues.<sup>703</sup> Although the cantons were quite powerful, the Federal government created in 1815 was a

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<sup>702</sup> Ibid., 51 -171. See Also; Duffield, "The War of the Sonderbund," 684-697. See Also; McCrackan, *The Rise of the Swiss Republic: A History*, 329-334. See Also; Bonjour, Offler, and Potter, *A Short History of Switzerland*, 257-267.

<sup>703</sup> Bonjour, Offler, and Potter, *A Short History of Switzerland*, 244-245. See Also; Thurer, *Free and Swiss*, 98-99. See Also; McCrackan, *The Rise of the Swiss Republic: A History*, 322. See Also; Remak, *A Very Civil War; The Swiss Sonderbund War of 1847*, 12-13.

voluntary and formal merger of the cantons so that they were subject to a form of common government and is sufficient to meet the requirements for an Amalgamated Security Community.

The constitution of 1848 in amended form continues to serve as the basic law of Switzerland. It established Bern as the permanent national capitol, and set up a bicameral legislature consisting of a National Council to represent the people and a Council of the States to represent the cantons. Both chambers meeting in joint session as the Federal Assembly chose the members of the Federal Tribunal, Federal Council, and Federal General (Commander in Chief in times of war). The Federal Council is a permanent executive independent of the Federal Assembly composed of seven members heading one of seven administrative districts chosen for four year terms but can serve multiple terms. The Federal government was given complete control of foreign affairs. The constitution forbids all military capitulations (leasing of mercenaries by the cantons) and foreign pensions and titles. The Federal government was given control over the postal service, weights and measures, creation of a common currency (Swiss Franc 1850), and all tariffs and customs duties providing the Federal government with its own revenue. Internal tariffs and customs were abolished. Direct taxation was reserved to the cantons. Federal law was made supreme and canton constitutions and law had to conform to Federal regulation but the cantons reserved all powers not delegated to the Federal government. A citizen of any canton residing in another canton had the same rights as a native of that canton; which created a universal Swiss Citizenship. Education and police functions were primarily the responsibilities of the cantons. The cantons were prohibited from making any political treaties or alliances between them. They were also expressly prohibited from “violence and from arming themselves” in cases of disputes with other states; rather they would submit to arbitration by the Federal government.<sup>704</sup> The military provisions of the treaty greatly increased the Federal government’s control over the creation of military capabilities but did not eliminate the canton’s involvement. Article 13 of the Swiss Constitution prohibits the Federal

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<sup>704</sup> Bonjour, Offler, and Potter, *A Short History of Switzerland*, 268-272. See Also; Thurer, *Free and Swiss*, 113-117. See Also; Text of the Swiss Constitution found in; McCrackan, *The Rise of the Swiss Republic: A History*, 364-394.

government from maintaining a standing army but it also forbids any canton from maintaining a force of more than 300 men (except police). All Swiss were required to perform military service but units were to be constructed whenever possible from troops within the same canton, and the canton could appoint the junior officers of these units. The Federal government, however, was responsible for the organization, training standards, appointment of senior officers, and arming of the military. This changed the canton militia from being separate entities that provided troops to the Federal Army into Federal militia organized and equipped by the Federal Army staff even though it was recruited primarily by canton; it became analogous to the U.S. National Guard. The Federal government was also given exclusive jurisdiction over the manufacture and sale of gunpowder (Article 41).<sup>705</sup> The larger impact of the 1848 Swiss Constitution was reconciliation of the opposing sides of the Civil War. Within a year after its passage the people of the defeated cantons proclaimed that they were ready to join the Federal army and fight any foreign enemy of Switzerland.<sup>706</sup>

### **3-6. (a.) 3. Defense Cooperation and Integration**

The Swiss military was always based on universal service. The canton was the entity that had the jurisdiction over the creation of military capability. This in turn led to the practice of the cantons contracting out the military services of their militia which continued for centuries. The militia basis of military forces in each canton allowed for clashes between cantons and between cities and rural areas. The early militia expected each man to provide his own arms and to train himself. Shooting societies sprang up with the first hand held firearms. Even after the battle of Marignano when the Swiss no longer collectively fought except to defend their territory, the Swiss were not neutral or peaceful and had no qualms about fighting for pay; mercenary contracts were economically vital to poor cantons. This system also had the benefit of creating an experienced battle hardened pool of militia in each canton. Although there was a defensive alliance (Defensionale of Wyl) formed in 1647 with a joint Catholic and Protestant military council to provide troops for the Diet it could not be called a Swiss Army but rather an alliance of

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<sup>705</sup> Text of the Swiss Constitution found in; McCrackan, *The Rise of the Swiss Republic: A History*, 364-394.

<sup>706</sup> Bonjour, Offler, and Potter, *A Short History of Switzerland*, 272

canton armies. The Federal Pact of 1815 included military components that contrasted with the previous pre-Helvetica Republic system. Instead of allied armies of the cantons there was to be a Federal Army composed of units generated by the cantons but commanded by Federal officers. This was analogous to the Continental Army under the Articles of Confederation with a few additional elements. In 1817 the Diet adopted a system for the organization of the Federal Army called the “General Army Regulations for the Swiss Confederation.” This included the division of the militia into three categories, the Federal Line, the Federal Reserve, and the Landwehr.<sup>707</sup> A General Staff School was established in Thun.<sup>708</sup> This school provided a well trained officer corps for the Federal Army and the General Staff provided organizational and operational leadership and coordination. The cantons were however, heavily involved as they always had been in the creation of militia capabilities. It is also evident from the Military items of the Swiss cantonal archives that the cantons controlled militia administration; equipping, housing recruiting, training and military justice as well as supplying arms and ammunition, uniforms and equipment (including horses) for their militia from the 1700’s up through 1848. The cantons collected military taxes to support their militia.<sup>709</sup>

The Constitution of 1848 changed the nature of the military organization. The contracting of militia by the cantons as mercenaries ended. Article 19 states that “The Confederation exercises control over the army and the material of war” and that the federal army is composed of the cantonal military corps and all Swiss subject to military service but are not in a canton unit. Furthermore in cases of danger the federal government also has exclusive and direct control of men not part of the federal army, and of all other military resources of the Cantons. This establishes federal jurisdiction over all manpower and equipment. Article 20 gives the federal government control over the organization of the army, military

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<sup>707</sup> Julian Grande, *A Citizens' Army: the Swiss System* (New York: Robert McBride & Company, 1916), 14-25. See Also; Charles Delmé-Radcliffe and James Windsor Lewis, *A Territorial Army in Being: A Practical Study of the Swiss Militia* (London: Hazel, Watson, and Viney, LD., 1908), 16-23.

<sup>708</sup> Remak, *A Very Civil War; The Swiss Sonderbund War of 1847*, 36, 82.

<sup>709</sup> Swiss Confederation, Federal Department of Defence Civil Protection and Sport; *Index of Sources on Swiss Military History Volume 1: Military items of the cantonal archives*. Available from [http://www.vbs.admin.ch/internet/vbs/en/home/documentation/emb\\_katalog/chmilarchives.html](http://www.vbs.admin.ch/internet/vbs/en/home/documentation/emb_katalog/chmilarchives.html) Internet; accessed 13 May 2010.

instruction of every kind, and providing arms for the military. Military law is set by federal legislation while the cantons are allowed to enforce the law under supervision of the Federal government. The cantons are allowed to exercise control over forces in their territory in peacetime as well as furnish uniforms and equipment. The cantons can appoint junior officers but are subject to standards set by the federal government. The Federal government also can establish federal training areas and federal military facilities and maintained the right to appoint senior officers. The cumulative effect of the provisions of the 1848 Constitution is to make the militia a federal force subject to federal organization, standards, training, legal regulations and dependent on the federal government for its arms and ammunition. One item in Article 18 over time transformed the Swiss militia into a nation in arms; “Each soldier shall receive without expense his first equipment, clothing, and arms. The weapon remains in the hands of the soldier.” Each man was required to attend shooting practice and keep his equipment in good order, as well as attend periodic training. The federal government established schools for all branches and required attendance for promotion. The only exemptions from service were for physical disability or essential government work. This made the Swiss Army very democratic in that all classes, professions, and occupations worked side by side in the Army.<sup>710</sup> Over time this had an integrative effect.

“In the nineteenth century, the army was a leader in the process of forming a national state and the centralization of state functions at the federal level.”<sup>711</sup>

### **3-6. (a.) 4. Swiss identity and military integration**

To this point the differences in religious affiliation and the city vs. rural tensions were mentioned. Switzerland is also multi-lingual (German, French, Italian, and a very localized language; Rumantsch) and multi-cultural. It also has a multiplicity of political parties. On the other hand there is a strong Swiss identity. The key common institution after 1848 was the Swiss Army. That doesn’t mean that an identity

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<sup>710</sup> Text of the Swiss Constitution found in; McCrackan, *The Rise of the Swiss Republic: A History*, 364-394. See also; Grande, *A Citizens' Army: the Swiss System*, 27-30. See also; Delmé-Radcliffe and Lewis, *A Territorial Army in Being: A Practical Study of the Swiss Militia*, 23-28.

<sup>711</sup> Director, Swiss Federal Archives, Prof. Dr. Chr. Graf, and Chief of the 152 EMA Army Archives, Col. Rudolf Jaun. “Introduction to Volume 1” *Index of Sources on Swiss Military History* Translated from French (p.16) and Italian (p.19) by this author. Swiss Confederation, Federal Department of Defence Civil Protection and Sport; *Index of Sources on Swiss Military History Volume 1: Military items of the cantonal archives*. Available from [http://www.vbs.admin.ch/internet/vbs/en/home/documentation/emb\\_katalog/chmilarchives.html](http://www.vbs.admin.ch/internet/vbs/en/home/documentation/emb_katalog/chmilarchives.html) Internet; accessed 13 May 2010.



did not exist prior to 1848. On the other and the liberals and progressives consciously worked to promote Swiss national identity during the restoration and regeneration period from 1815 – 1848. They formed cultural societies, shooting societies, and political movements to increase the perception of a common identity in opposition to the reactionary forces and autonomy of the cantons. That was not enough to prevent civil war. The cantons maintained sufficient control of the jurisdiction and capacity to create military capabilities that they could make the choice to pursue their perceived interests by force. The Sonderbund did have external political support, and there is sufficient evidence that had the Federal Army moved slowly or had not won decisively that the Catholic portion could have split off or become a protectorate of France as happened during several previous periods.<sup>712</sup> The handling of the Civil War and Constitution were critical for post war reconciliation and construction of a unified federal state. In the end however, the obligatory universal service in the Swiss Federal Army provided a common democratic institution for integration and identity affirmation. As noted by one Swiss official “Switzerland does not have an army. Switzerland IS an army.”<sup>713</sup>

**3-6. (b.) Kurds in Iraq 1991 to 2010** – Provides a current example of what claims to be a federal system but includes multiple jurisdictions with the capacity to produce military capabilities. In this instance the multiple jurisdictions are the Government of Iraq and the Kurdish Regional Government. This example includes the Kurdish forces, the Peshmerga (those who face death) because they are sanctioned as ‘Guards of the Region’ by the 2005 Iraqi Constitution maintained by a recognized regional government and are not an ‘unauthorized militia’. This example will not explore those other unauthorized albeit important forces which also mainly operate outside the Kurdish region (e.g. Jaish al-Mahdi (JAM)). This example highlights the difficulty of military integration even within an ethnic group threatened by

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<sup>712</sup> Duffield, “The War of the Sonderbund,” 696. See Also; Thurer, *Free and Swiss*, 108. Bonjour, Offler, and Potter, *A Short History of Switzerland*, 265-267.

<sup>713</sup> John McPhee, *La Place de la Concorde Suisse*, (New York: Farrar, Straus, and Giroux, 1984), 53.

Note: in 1989 a referendum to abolish the army got over a third of the vote. This led to a reduction in service obligation in a reorganization called ‘Army 95’ and eventually to a drastic overhaul called Army XXI in 2004 that reduced the number liable for continued service almost in half. Switzerland is no longer a nation in arms and the reorganization also eliminated the organizational structures linked to the cantons.

outside forces. It also demonstrates how critical the issue of constitutional structure regarding multiple jurisdictions with the capacity to produce military capabilities is for policy makers.<sup>714</sup>

### **3-6. (b.) 1. History of Kurds in Iraq 1991 to 2010**

The Kurds are the largest ethnicity without a state, and are present in Syria, Turkey, Iran, and Iraq. This example is focused only on Iraqi Kurds in Iraq; there are Turkish and Iranian Kurdish groups that use Iraqi Kurdish territory for sanctuary and as a base of operations but those issues are tangential to the main points of this study. From this point reference to “the Kurds” indicates Iraqi Kurds as a coalition; where factions clash they are indicated by party affiliation. It is enough to note that there is a long history of brutal oppression of Kurds in Iraq, the worst being the attacks by Saddam Hussein in the 1980’s that included the use of chemical weapons against civilians.<sup>715</sup> Following the end of Operation Desert Storm on 28 February 1991, the Kurdish regions rebelled but were quickly defeated. Iraqi Army forces moved into the Kurdish regions and several million Kurds fled into the mountains where they had no food, shelter, or water in winter conditions. By 16 April the armed forces of the US, UK, and France began Operation Provide Comfort. To protect the relief supplies which were being transported by air, the allied forces declared the area north of the 36<sup>th</sup> parallel a no-fly zone for Iraqi aircraft. Although the UNHCR took responsibility for humanitarian assistance in June 1991 the no fly zone (Operation Northern Watch) was maintained up to Operation Iraqi Freedom providing protection to a large portion of the Kurdish region. During the remainder of 1991 the Peshmerga guerrilla forces of the Iraqi Kurdistan Front gained control of most of the Kurdish areas except for the area of Kirkuk. In March 1992 the two main Iraqi Kurdish political parties in the Kurdistan Front, the Kurdistan Democratic Party (KDP) and Patriotic Union of Kurdistan (PUK) agreed to hold elections in May 1992 for a Kurdish Regional Assembly. The international humanitarian, reconstruction and relief efforts were primarily concentrated in the KDP

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<sup>714</sup> In addition to published sources and Iraqi and Kurdish government documents this section is informed by the author’s study of the issue and the Iraqi government as a member of Multinational Corps Iraq during 2006.

<sup>715</sup> The anti-Kurdish “Anfal” campaign: February - September 1988; Halabja chemical attack March 1988.

controlled area and did not extend into the province of Sulaimaniyya controlled by the PUK.<sup>716</sup> Local territorial skirmishes turned into a civil war when fighting broke out between the KDP and PUK in May 1994 resulting in 3000 dead by the time a peace agreement was arranged by the U.S. in 1998.<sup>717</sup> The peace agreement resulted in a territorial division of administrative responsibility. The KDP set up an administration in the city of Arbil (Erbil or Irbil) to govern the provinces of Dahuk and Arbil while the PUK set up a separate administration in the city of Sulaymaniyah to govern the province of As-Sulaymaniyah and parts of Tamim (Kirkuk) Province. The *modus vivendi* between the PUK and KDP included a consociational power sharing agreement for the Kurdistan Regional Government (KRG) in which the decisions were hammered out between the party leadership rather than in the Kurdish Assembly or administrative ministries.<sup>718</sup> 13 percent of the money from the Oil-for-Food program (UNSCR 986) was allocated to the Kurdish region. This helped fuel economic development and increased administrative abilities within the Kurdish government as the KDP and PUK began to cooperate and work with the UN and NGOs. The Kurdish region also benefited from increased trade with Turkey and Iran. The customs duties on this trade gave the Kurdish Regional Government its own source of revenue as well.<sup>719</sup> In 2003 when the Turks refused to allow U.S. forces to transit their territory, the Peshmerga forces of the KDP and PUK fought alongside U.S. forces airlifted into Kurdistan to defeat the Iraqi army in the North of Iraq. For the Kurds the alliance with the U.S. presented opportunities to

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<sup>716</sup> Ronald Ofteringer and Ralf Bäcker, "A Republic of Statelessness: Three Years of Humanitarian Intervention in Iraqi Kurdistan," *Middle East Report*, no. 187/188, (March - June, 1994): 40-45 See Also; Michael M. Gunter, "A *de facto* Kurdish state in Northern Iraq," *Third World Quarterly* 14, no 2, 1993): 295-319.

<sup>717</sup> Michael M. Gunter, "The Permanent and New Realities Facing the Kurdistan Regional Government: Options and Prospects," *Journal of Muslim Minority Affairs* 28, no. 2 (August 2008): 247. See Also; Sharon Behn. "Kurds keep the peace in their own 'nation'" *The Washington Times*, 30 November 2005. available from <http://www.krg.org/articles/detail.asp?lngnr=12&smap=&rn=77&anr=7849> Internet; accessed 20 May 2010. See Also; "Barzani: Champion of Iraqi Kurdish rights." AFP 13 December 2005, available from <http://www.krg.org/articles/detail.asp?rn=73&lngnr=12&smap=02010200&anr=8105> Internet; accessed 20 May 2010. See Also; Kurdistan Democratic Party (KDP), Global Security, available from <http://www.globalsecurity.org/military/world/para/kdp.htm> Internet; accessed 20 May 2010.

<sup>718</sup> Gareth R. V. Stansfield, "Governing Kurdistan: The Strengths of Division", in *The Future of Kurdistan in Iraq*, O'Leary et al., eds., (Philadelphia, PA.: University of Pennsylvania Press, 2005), 201-203. See Also, Michael M. Gunter, "The Permanent and New Realities Facing the Kurdistan Regional Government: Options and Prospects," *Journal of Muslim Minority Affairs* 28, no. 2 (August 2008): 247.

<sup>719</sup> *Ibid.*, 204, 209-211.

consolidate their position in post-Saddam Iraq.<sup>720</sup> Arabs on the Iraqi Governing Council opposed Kurdish autonomy within a federal Iraq.<sup>721</sup> Fortunately for the KRG the Transitional Administrative Law (TAL - created by the U.S.) had a key provision in Article 61 (c);

“The general referendum will be successful and the draft constitution ratified if a majority of the voters in Iraq approve and if two-thirds of the voters in three or more governorates do not reject it.”<sup>722</sup>

Given that the KRG controls three governorates, it gave the Kurdish parties a veto over the constitution. Article 53 of the TAL specifically recognizes the KRG as the official government of the territories it controlled on 19 March 2003 which includes not only the three governorates of Kurdistan but also territories in Kirkuk (Tamim), Diyala and Nineveh governorates.<sup>723</sup> This allowed the KRG to claim that the Peshmerga were not a militia but an armed force of a recognized part of the Iraqi government; the KRG. The KRG and the Peshmerga were too powerful for any other Iraqi party to dominate them or force any agreements that ran counter to their interests. The KDP and PUK along with 15 other smaller Kurdish groups joined to create a single list of candidates for the Kurdish regional and Iraqi national elections held in January, 2005.<sup>724</sup> A key result of was that the Iraqi National Assembly chose Jalal Talabani (head of the PUK) as President of Iraq while Masoud Barzani (head of the PUK) was elected President of the KRG by the Kurdish National Assembly. This allocation of Presidencies went a long way to easing tensions between the two Kurdish factions. KDP and PUK also saw that maintaining a united front was essential to leveraging political influence at the national level to achieve Kurdish objectives. The next major activity was the creation of the Iraqi Constitution. Kurds got almost everything they wanted in exchange for continued support of the Shia coalition in forming a new

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<sup>720</sup> Michael M. Gunter, “The Permanent and New Realities Facing the Kurdistan Regional Government: Options and Prospects,” *Journal of Muslim Minority Affairs* 28, no. 2 (August 2008): 238.

<sup>721</sup> Stansfield, “Governing Kurdistan: The Strengths of Division”, 213.

<sup>722</sup> Coalition Provisional Authority, Transitional Administrative Law, available from <http://www.cpa-iraq.org/government/TAL.html> Internet; accessed 20 May 2010

<sup>723</sup> Ibid.

<sup>724</sup> Michael M. Gunter and M. Hakan Yavuz, “The Continuing Crisis in Iraqi Kurdistan,” *Middle East Policy* 12, no. 1 (Spring 2005): 122-128.

government after the December 2005 national elections.<sup>725</sup> The constitution greatly increased the autonomy of the KRG and the Kurdish Coalition of parties remained united in protecting the interests of Kurdistan. Protected by the Peshmerga who manned the ‘green line’ (an internal border dividing the KRG controlled area from the rest of Iraq) the Kurdish region had become peaceful and prosperous. No coalition soldier has been killed or any foreigner kidnapped in the area of Kurdistan controlled by the Peshmerga. The security provided by the Peshmerga forces is the key factor that allowed Kurdistan to develop.<sup>726</sup> The KRG passed a bill that recognized foreign ownership that had the effect of accelerating foreign investment giving generous tax and customs exemptions for the first five years of any project.<sup>727</sup> The difference between Kurdistan and the rest of Iraq includes the extreme autonomy found in Kurdistan;

“In the run-up to national elections in March, the Kurdish region--where nearly 20% of Iraq's 29 million citizens live--isn't shy about parading its autonomy: Police wear Kurdish uniforms. The region's red, white, and green flag is ubiquitous while Iraq's is nowhere to be seen.”<sup>728</sup>

In 2006 a decision was made to merge the separate KDP and PUK administrations into one regional government located in Erbil which became the KRG capitol. This power sharing agreement included the creation of a Ministry of Peshmerga Affairs (i.e. Ministry of Defense) and has continued to the present. At roughly the same time another poll taken along with the national elections indicated that 95 percent of the Kurds favored independence. The KRG has been very careful not to push for this but at the same time has threatened to breakaway if its interests are threatened. This has often included issues related to the

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<sup>725</sup> Bernard Gwertzman and Nathan Brown, “Iraqi Constitution Likely to Be Approved; ‘Creeping Civil War’ Already Started,” Council on Foreign Relations. 08 Oct. 2005. Available from <http://www.krg.org/articles/detail.asp?lngnr=12&smap=&rnr=77&anr=6564> Internet; accessed 20 May 2010.

<sup>726</sup> “While Kurdish politicians play an influential role in constitutional deliberations and Iraqi politics, they have run their affairs in the KRG with barely any accounting to the government in Baghdad. Whereas many of Iraq’s Arab provinces are mired in violence and instability, and display poor economic prospects, the Kurdish Region (hereafter KR) has enjoyed relative stability and has seen its economy flourish. Moreover, in spite of their past conflict and lingering mistrust, Massoud Barzani’s Kurdistan Democratic Party (KDP) and the PUK have displayed a remarkable sense of cooperation as they pursue common goals in post-Saddam Iraq. The 100,000 strong Kurdish militia (the peshmerga), the best-organized military force in Iraq and loyal to the KDP and PUK leaders respectively, provide security in Iraqi Kurdistan. In fact, Kurdish leaders have spared some peshmerga to assist US and Iraqi forces in Baghdad and elsewhere.” Tozun Bahcheli and Peter Fragiskatos, “Iraqi Kurdistan: Fending off Uneasy Neighbours,” *International Journal of Contemporary Iraqi Studies* 2, no. 1 (2008): 68.

<sup>727</sup> Kurdistan Region Investment Law (July 2006) Available from <http://www.krg.org/articles/detail.asp?rnr=107&lngnr=12&anr=12626&smap=04030000> Internet; accessed 20 May 2010.

<sup>728</sup> Ben Holland, “An Oil Boomtown in Iraqi Kurdistan,” *BusinessWeek*, 1 February 2010, Issue 4165.

city of Kirkuk and its surrounding province. The Kurds want the oil but they do have their own reserves in other parts of Kurdistan. The Kurds focus on Kirkuk is significantly based on its cultural value as the “Kurdish Jerusalem” their long sought after capitol city that they believe was wrongly taken from them by the policies of Saddam that expelled Kurds and replaced them with Arabs. The Kurdistan Regional Constitution names Kirkuk as its capitol. The KRG absolutely will not give up its claim to Kirkuk and will fight for it if necessary.<sup>729</sup> That is not the only issue that may lead to open conflict. The issue of control over Kurd populated areas in the provinces of Tamim, Diyala and Nineveh in 2008 – 2009 nearly led to armed clashes between the Iraqi Army and the Peshmerga. The Iraqi Government ordered Peshmerga units to withdraw from those areas and they refused stating that they only took orders from the government of Kurdistan and prepared to engage the Iraqi Army. Only U.S. mediation diffused the immediate tensions which resulted in three party joint patrols of U.S. Army troops, Peshmerga, and Iraqi Army units in the disputed areas which continued in May 2010. The relationship between the central government and the KRG is strained as the Arab central government tries to reassert its authority.<sup>730</sup>

### **3-6. (b.) 2. The Government**

The Iraqi Constitution adopted in October 2005 is the basis for the government, but there are also practices that have arisen regarding the Kurdish region that are important as well.<sup>731</sup> The construct of the constitution and practices of the KRG in reality make Iraq a hybrid of a confederation and a unitary system. The relationship between the central government and the provinces that are not part of the KRG

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<sup>729</sup> Gunter, “The Permanent and New Realities Facing the Kurdistan Regional Government: Options and Prospects,” 237-249.

<sup>730</sup> Michael Gunter, “Kurdish-Arab Tensions and Irbil-Baghdad Relations,” *Terrorism Monitor* 8, no. 12 (March, 2010). Available from [http://www.jamestown.org/single/?no\\_cache=1&tx\\_ttnews\[tt\\_news\]=36197&tx\\_ttnews\[backPid\]=7&cHash=c28c42af72](http://www.jamestown.org/single/?no_cache=1&tx_ttnews[tt_news]=36197&tx_ttnews[backPid]=7&cHash=c28c42af72) Internet; accessed 20 May 2010. See Also; “Too late to keep the peace? Iraq's dangerous trigger line,” *Economist: Middle East and Africa*, 13 February 2010. See Also; Alexandra Hemmerly-Brown, “Iraqi Army and Peshmerga Work Together to Quell Insurgency in Diyala Province,” 20 May, 2010. Available from <http://www.army.mil/-news/2010/05/21/39631-tripartite-mission-denies-violent-extremists-support-zones-safe-haven/> Internet; accessed 21 May 2010. See Also; Sgt. 1st Class Tyrone C. Marshall, 25th Combat Aviation Brigade Public Affairs, “Tripartite Mission Denies Violent Extremists Support Zones, Safe Haven,” 21 May 2010. Available from <http://www.army.mil/-news/2010/05/21/39631-tripartite-mission-denies-violent-extremists-support-zones-safe-haven/> Internet; accessed 22 May 2010.

<sup>731</sup> All references to the Iraqi Constitution can be found at: United Nations Assistance Mission for Iraq; Iraqi Constitution. Available from [http://www.uniraq.org/documents/iraqi\\_constitution.pdf](http://www.uniraq.org/documents/iraqi_constitution.pdf) Internet; accessed 22 May 2010.

is not a Federal system. It is a centralized unitary system in which the central government has complete sovereignty and delegate's authority and responsibilities to subordinate provincial and local governments. This system is the successor to the previous regime in which the provincial and local governments were an extension of the central government and Ba'ath party.

The Iraqi Constitution contains several provisions included by the Kurds during the negotiations that give the KRG extreme autonomy. First Article 117 recognizes “the region of Kurdistan, along with its existing authorities, as a federal region.” Article 121 grants regional governments several key powers (Kurdistan is only region). First, the regional governments exercise all executive, legislative and judicial powers in the region except those reserved to the central government and are guaranteed a proportion of central government revenue based on population. Second, both Article 121 and Article 115 stipulate that in case of a “contradiction between regional and national legislation” in an area not exclusively a federal power, the regional government law is superior and application of the national law can be amended within the region. Article 115 also states that “All powers not stipulated in the exclusive powers of the federal government belong to the authorities of the regions and governorates that are not organized in a region. With regard to other powers shared between the federal government and the regional government, priority shall be given to the law of the regions and governorates not organized in a region in case of dispute.” These articles establish the supremacy of Regional Law which is quite important given the limits of exclusive central government jurisdiction in regard to the region. Third, Article 121 allows offices representing regions and governorates to be opened in “all embassies and diplomatic missions, in order to follow cultural, social, and developmental affairs.” Hoshyar Zebari from the KDP has been the Iraqi Foreign Minister since 2003. The KRG maintains a Department of Foreign Relations led by Minister Falah Mustafa Bakir. “He is the chief architect of KRG foreign policy, and the Department serves as the conduit between the KRG and the international community.”<sup>732</sup> Numerous foreign governments maintain diplomatic missions in Erbil. The KRG has actively used not only its control of the Iraqi foreign ministry

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<sup>732</sup> Minister Falah Mustafa Bakir - Head of the Department of Foreign Relations. Available from <http://www.krg.org/articles/detail.asp?lngnr=12&smar=04060100&rmr=136&anr=10903> Internet; accessed 22 May 2010. See Also; “Foreign Relations: Reaching Out to the World,” *Foreign Affairs* 86, no.6 (Nov/Dec 2007)

but its own Department of Foreign Relations to promote its interests including foreign investment as well as to maintain relations with neighboring countries. Finally, Article 121 states:

“The regional government shall be responsible for all the administrative requirements of the region, particularly the establishment and organization of the internal security forces for the region such as police, security forces, and guards of the region.”<sup>733</sup>

This provision for “guards of the region” is what the KRG uses to provide constitutional legitimacy for the Peshmerga. This sets up the structural multiple jurisdictions for the capacity to create military capabilities and guarantees KRG sovereignty within its territory. Article 110 lists the powers exclusive to the central government which are; foreign policy, national security, fiscal /monetary policy, weights and measures, citizenship, broadcast and the mail, budget bill, outside water sources and census. In reality the KRG has its own security force and foreign policy, establishes its own budget, and has local TV and radio stations that broadcast in Kurdish, which in practice leaves the central government with exclusive jurisdiction over weights & measures; monetary policy; and the mail. Based on the autonomy of the KRG, the powers it has from the constitution and exercises in practice, along with the supremacy of regional law to federal law, the relationship between Kurdistan and the central government is that of near equals. The best description of this is as a confederation between the KRG and the central government where the KRG has retained sovereignty and delegated certain limited functions to the central government, while the remainder of the government is a unitary system.

The Kurdish Regional Government (KRG) did move forward with the merger of its two administrations beginning in 2006. By its own admission it has yet to merge the Asayish (intelligence and security) and Peshmerga forces.<sup>734</sup> A draft law for merging those forces is pending. How then does this example apply to the conditions of being an Amalgamated Security Community? First of all there is an Amalgamated Security Community between the territorial political administrations of the KDP and PUK following the decision in 2006 to merge administrations; which did include the Ministry of

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<sup>733</sup> Underline by this author.

<sup>734</sup> About the Kurdistan Regional Government: Unifying institutions. 9 November 2009. Available from <http://www.krg.org/articles/detail.asp?anr=32349&lngnr=12&rnr=93&smap=04020000> Internet; accessed 20 May 2010.



Peshmerga Affairs. The other Amalgamated Security Community is between the KRG and the central government that resulted from Peshmerga participation in the ouster of Saddam and Kurdish writing of the constitution. They are both *voluntary* agreements to have a common government.

“We in the Kurdistan Region have decided to remain part of Iraq on the basis of a voluntary union, provided that Iraq is a federal, democratic and pluralistic country.”<sup>735</sup>

They are clearly functioning governments with the capacity to generate revenue and enforce policy. They also have multiple jurisdictions with the capacity to produce military capabilities and therefore fit the description of partially integrated Amalgamated Security Communities.

### **3-6. (b.) 3. Defense Cooperation and Integration**

There is security cooperation between the KRG and the Government of Iraq and some integration of Peshmerga forces with Iraqi national forces. After the ouster of Saddam a significant number of Peshmerga were integrated into the Iraqi Army. The Iraqi Army 2<sup>nd</sup> and 4<sup>th</sup> Divisions were initially more than eighty percent Kurdish and the 3<sup>rd</sup> Division had almost forty percent Kurdish soldiers. The Iraqi government adopted a policy in 2007 of trying to ethnically balance its units so the percentages are not as great today, however significant portions of numerous units include forces that were Peshmerga.<sup>736</sup>

Peshmerga units were also dispatched at the request of the central government to help stabilize areas outside of Kurdistan several of times in the past. It has been noted that the Iraqi Army and Peshmerga nearly opened fire on each other in several incidents in 2008 and 2009 and that tensions remain strained with three party patrols in contested areas, and DOD recognizes the tensions in ‘ethnically mixed and resource rich areas.’ Part of the problem was that the 12<sup>th</sup> Iraqi Army Division Commander was accused of having supported Saddam’s operations against the Kurds and of being anti-Kurdish.<sup>737</sup> The arrangement to ease tensions and save face for both sides is the anticipated placement of the 15<sup>th</sup> and 16<sup>th</sup> Peshmerga Mountain Divisions under Iraqi Army command. The 15th Mountain Division (KDP

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<sup>735</sup> Speech by Prime Minister Nechirvan Barzani, Erbil, 30 May 2007. Available from <http://www.krg.org/articles/detail.asp?lngnr=12&smap=02040100&rn=268&anr=20902> Internet; accessed 20 May 2010.

<sup>736</sup> Anthony H. Cordesman, and Adam Mausner, *Withdrawal from Iraq: Assessing the Readiness of Iraqi Security Forces* (Washington, D.C.: Center for Strategic and International Studies (CSIS), August 2009), 121-125.

<sup>737</sup> Ibid., 125-126.

Peshmerga) is in the Ninawa province and the 16th Mountain Division (PUK Peshmerga) is the in Kirkuk and Diyala provinces. These units are already the ones conducting the joint three party patrols. A key consideration for the KRG is that when the two divisions come under control of the Iraqi Army they would be funded by the central government providing significant fiscal relief to the KRG. Other security cooperation between the KRG and central government includes KRG 'Zerevani' paramilitary police forces participating in Carbinieri training with the Iraqi Federal Police, as well as a division sized element of Peshmerga who guard the external border of Iraq with Iran and Turkey (Kurdistan) as part of the Iraqi Department of Border Enforcement (they nominally report to the Department of Border Enforcement but are effectively under KRG control).<sup>738</sup>

The Peshmerga forces respond to the KRG not the central government.

"The KRG receives 17 percent of the Iraqi budget and maintains its own MOI and MOD and runs its own military, paramilitary, and police forces almost entirely independent of central government or Coalition supervision. The KRG maintains police units as well as army brigades independent of the ISF."<sup>739</sup> (Iraqi Security Forces)

The Peshmerga force estimates vary widely because the KRG and particularly the KDP do not openly reveal the status of their armed forces. Estimates are that there are possibly up to 200,000 Peshmerga. This includes 30,000 'Zerevani' paramilitary police and 12,000 border guards. The 15<sup>th</sup> and 16<sup>th</sup> Peshmerga Mountain Divisions that may transfer to Iraqi Army control have a combined troop level of almost 30,000 (14,750 Peshmerga each). The remainder of the force is organized as brigades with possibly another 70,000 Peshmerga.<sup>740</sup> The PUK forces were divided into organized and semi-organized units with the organized units being at a higher level of training and readiness. Although the Peshmerga was created as an infantry guerrilla force equipped with small arms, mortars and RPG's, it has evolved to become a more conventional army. The KRG was able to capture a significant amount of

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<sup>738</sup> D.J. Elliott, "Iraqi Security Forces Order of Battle 2010: 02/03," *Defense Industry Daily*, LLC, 03-Mar-2010. Available from <http://www.defenseindustrydaily.com/Iraqi-Security-Forces-Order-of-Battle-2010-0203-06217/> Internet; accessed 22 May 2010. See Also; Cordesman and Mausner, *Withdrawal from Iraq: Assessing the Readiness of Iraqi Security Forces*, 129.

<sup>739</sup> Cordesman and Mausner, *Withdrawal from Iraq: Assessing the Readiness of Iraqi Security Forces*, 127.

<sup>740</sup> D.J. Elliott, "Iraqi Security Forces Order of Battle 2010: 02/03," *Defense Industry Daily*, LLC, 03-Mar-2010. Available from <http://www.defenseindustrydaily.com/Iraqi-Security-Forces-Order-of-Battle-2010-0203-06217/> Internet; accessed 22 May 2010.

military equipment after the fall of Saddam and the Peshmerga forces now include substantial artillery forces, mechanized infantry and some armored units. The organized PUK units included a mechanized brigade composed of a tank battalion and two mechanized infantry battalions; as well as three anti-tank battalions, three tank destroyer battalions, six artillery battalions, a machine gun battalion, engineer battalion, and a scout battalion that serves as the Presidential Security force. The semi-organized Peshmerga provided up to sixteen infantry brigades. There were also PUK troops assigned to the Ministry of Peshmerga Affairs that included an additional two infantry battalions, an artillery battalion, two military intelligence battalions as well as training academies.<sup>741</sup> The KDP forces are considered to be roughly similar. These are not insignificant forces, and are usually highly regarded.

The KRG has taken steps to integrate the KDP and PUK Peshmerga forces in response to both internal Kurdish political pressures as well as the tensions with the central government. The provincial KRG election in June 2009 saw a new party (Gorran or ‘Change’ Party) make considerable gains at the expense of the PUK. Partly to shore up the KDP-PUK governing alliance the central government deputy prime minister from the PUK (Mr. Barham Sahih) became the new KRG Prime Minister.<sup>742</sup> The KDP has no interest in the fracture of the PUK and the power sharing arrangement that has brought stability to Kurdistan. Therefore, facing external and internal pressures the KRG President Massoud Barzani announced the integration of Peshmerga forces into one unified army under the control of KRG Ministry of Peshmerga Affairs in November of 2009. The concept pushed forward by the KDP leader Barzani includes the Ministry of Peshmerga Affairs being run by an official from the PUK, an indication that this is meant to bind the two major factions and preserve their alliance. It also would enable the KRG to better resist any moves by the central government. The draft law that would govern this merger has two interesting aspects. First, political parties and religious entities are prohibited from having any armed

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<sup>741</sup> Cordesman and Mausner, *Withdrawal from Iraq: Assessing the Readiness of Iraqi Security Forces*, 127-128.

<sup>742</sup> Michael Gunter, “Kurdish-Arab Tensions and Irbil-Baghdad Relations,” *Terrorism Monitor* 8, no. 12 (March, 2010). Available from [http://www.jamestown.org/single/?no\\_cache=1&tx\\_ttnews\[tt\\_news\]=36197&tx\\_ttnews\[backPid\]=7&cHash=c28c42af72](http://www.jamestown.org/single/?no_cache=1&tx_ttnews[tt_news]=36197&tx_ttnews[backPid]=7&cHash=c28c42af72) Internet; accessed 20 May 2010

forces, all unauthorized militia forces (not under jurisdiction of the KRG MOI or MOD) are prohibited, and the armed forces are to be apolitical. The second aspect is that the law references the duty of the Peshmerga forces and the Ministry of Peshmerga Affairs' duty to defend Kurdistan-Iraq, not Iraqi Kurdistan.<sup>743</sup> There is no mention in the law of any duty to defend Iraq. There is also a clear indication that despite the proposed handover of authority over the 15<sup>th</sup> and 16<sup>th</sup> Peshmerga Mountain Divisions to Iraqi Army control that the remainder of the Peshmerga will not integrate with the Iraqi Security Forces (ISF) controlled by the central government. The Secretary General for Peshmerga Affairs, Mahmoud al-Sangawi (PUK), in an interview stated that:

The Peshmerga forces will not be integrated into the Iraqi army, but the two parties' forces – the Kurdistan Democratic Party (KDP), headed by Masoud al-Barazani, and the Patriotic Union of Kurdistan (PUK), headed by Jalal Talabani, will be unified and renamed the Kurdistan Region Border Guard. Division number 16, which protects the area extending from Khaneqin to Ridar, and division number 15, which protects everything between Ridar, Badinan and Mosul, are under the command of the Iraqi army and receive their military instructions from Baghdad. The rest of the border guard will be under the command of the regional presidency and the Kurdistan parliament. If the central government wants to use these troops for any purpose, it must obtain approval from both the parliament and the regional president.”<sup>744</sup>

This provides an indication that the partial Amalgamated Security Community between the KDP and PUK seems to be getting stronger while the partial Amalgamated Security Community between the KRG and the central government in Iraq remains weak. In this example the end result is not clear but the dangers of multiple jurisdictions with the capacity to generate military capabilities would seem to be abundantly clear.

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<sup>743</sup> Stratfor. *Iraq: A Unified Kurdish Army?* December 10, 2009; including Stratfor translation of draft law on Peshmerga unification; further confirmation of Peshmerga integration. See Also; Cordesman and Mausner, *Withdrawal from Iraq: Assessing the Readiness of Iraqi Security Forces*, 129.

<sup>744</sup> Shakhwan Mahmoud, “Sangawi: the Peshmerga will not be integrated into the Iraqi Army,” *Niqash*: Friday 22 January 2010. Available from <http://www.niqash.org/content.php?contentTypeID=75&id=2590&lang=0> Internet; accessed 22 May 2010.

## **Chapter 4. Cases of Amalgamated Security Community failures; failure to form and failure by disintegration.**

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### **4-1. Introduction**

This chapter investigates how Amalgamated Security Communities fail. There are two types of failure. First there is the failure to form; potential ASCs that do not coalesce. It is important to investigate this aspect in order to isolate the independent variable (degree of military integration) from other potential alternative explanations for the integration of ASCs. These include integration based on economic or political factors that would occur without military integration and should enable the rejection of potential alternative explanations such as Federalism, Functionalism, Transactionalism, and Neo-functionalism. These are examples where voluntary integration occurred in one area but the integration process was stymied by a lack of military integration. The danger here is to prevent the argument presented in this paper from becoming simply a definitional argument; i.e. because Amalgamated Security Communities

require some degree of military integration, a lack of military integration indicates there is no ASC. To preclude this, it is important to look at examples where there was the potential to form an ASC initially through mechanisms such as economics and politics rather than military integration and where military integration could have been the result rather than the cause of ASC formation. A strong case would include the failure of an ASC to form even though that potential ASC may have engaged in successful military conflicts.

**Hansa.** This is the case of the Hansiatic League which arose from the desires of merchants for trade advantages and was focused on economic gains; specifically trade rights. Even though the Hansiatic League engaged in successful military conflicts (at one point defeating Denmark) and had a quasi-governmental council, it lacked military integration and failed to form an Amalgamated Security Community based on economic or political factors. Another example mentioned in a previous chapter was the attempt to use the **Zollverein Parliament** created by Prussia to leverage economic integration to advance political integration, but instead was used by factions opposed to unification to stymie efforts at integration.

The second type of failure is the disintegration of Amalgamated Security Communities. Previous chapters have presented cases that demonstrate how Amalgamated Security Communities are formed by the integration of military capabilities and the capacity to produce military capability, as well as the instability and danger stemming from partial integration, in which multiple jurisdictions retain the capacity to produce military capability. This paper argues that this process is the mirror image of state dissolution. During Amalgamated Security Community formation the key act is security integration which is a tipping point. This chapter investigates state dissolution in which the key act is security disintegration as sub-state elements establish an independent capacity to generate military capability. The examination of this problem is important because it should demonstrate the mirror image of the formation of ASCs as they break up through the dissolution of integrated military capabilities and the capacity to produce military capability. This would demonstrate that the independent variable has validity not only in terms of the virtuous cycle of identity formation as an ASC coalesces but also in the vicious cycle of

creating divisions and differentiating between what constitutes us and other as former brothers-in-arms become separated from each other. A clear and recent example is the case of the breakup of **Yugoslavia**. This case is an important test of the strength of the proposed theory for ASC disintegration due to the number of well established alternative explanations for the breakup of Yugoslavia. Finally, **Czechoslovakia** provides a critical case because there is no apparent connection to any military disintegration during the “Velvet Divorce”. If a clear connection to military dis-integration is found, particularly decisions made prior to the breakup, then the second half of the argument of this study should be seen to be quite strong and the null hypothesis completely rejected.

#### **4-2. (a). History of the Hanseatic League.**

The expression Hanseatic League is actually a misnomer since the hanseatic towns never actually formed a league (bund in German). Several scholars favor using "community," as the word that best expresses the loose structure and lack of clear-cut organization which characterized the Hansa.<sup>745</sup> However, the loose and ill defined organization had an existence that lasted for about four hundred years with the final Hanseatic Diet meeting in 1669. The word Hansa itself denotes a nonspecific crowd or community as well as money paid to common fund or an armed group formed to protect traders. The development of the ‘Hanseatic League’ had its origins in fraternal organizations (Hense) of traveling German merchants that formed to reduce the risk of trade and travel, and to protect their interests in foreign ports. Historians note that there was a major transition from a Hansa of individual German merchants to a Hansa of towns. The German city of Lübeck became the leading city of the Hanseatic League after it was declared an Imperial City in 1226 which left the city free to pursue its interests locally. Initially its economic interests were Baltic herring fisheries but that expanded to trade with Hamburg along the 'salt road' that ran to Kiel.<sup>746</sup> The Hansa’s initial rise to wealth and power was based on its control of the portage at the

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<sup>745</sup> Rhiman A. Rotz, “The Lubeck Uprising of 1408 and the Decline of the Hanseatic League,” *Proceedings of the American Philosophical Society* 121, no. 1 (1977): 7.

<sup>746</sup> T. H. Loyd, *England and the German Hanse, 1157-1611: A Study of Their Trade and Commercial Diplomacy*, (Cambridge: Cambridge University Press, 1991), 1-3. See Also; Rainer Postel, “The Hanseatic League and its Decline,” Paper read at the Central Connecticut State University, New Britain, CT, on 20 November, 1996. Available from <http://www.hartford-hwp.com/archives/60/039.html> Internet; accessed 3 September 2010. See Also;

Holstein isthmus between Lübeck and Hamburg which was the main route between the Baltic and North Seas in a period when ships were unwilling to sail through the treacherous Straits of Denmark. This monopoly on Baltic trade was the basis for their wealth.<sup>747</sup> The cities of Lübeck and Hamburg forged close ties in activities besides trade. By 1230 these two cities established the use of a common law between them and in 1241 adopted an agreement for mutual protection.<sup>748</sup> Between 1260 and 1264 there were decrees sent out “in support of all merchants who are governed by the law of Lübeck.”<sup>749</sup> These decrees were to be binding for a year until the cities had the opportunity to respond and the next year in 1265 a decision was made to hold an annual meeting “to legislate about the affairs of the cities.”<sup>750</sup> This indicates the ambition of the towns to take over the role of protecting German merchants and shows the shift towards a Hansa of towns.<sup>751</sup> These decrees were obviously concerned with providing protection to merchants, but they also clearly deal with the expected behavior of the members in case of war, and that the community needed to establish some sort of common governing body. While most Hansa towns were within the Holy Roman Empire, imperial government tended to be extremely weak in North Germany. This lack of government left the Hansa towns with the burden of providing for their own defense and charting their own foreign policy. This meant that the member towns of the Hanseatic League functioned to a large extent as ‘city-states,’ exerting their influence throughout North Germany and the Baltic.<sup>752</sup>

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Hyman Palais, “England's First Attempt to Break the Commercial Monopoly of the Hanseatic League, 1377-1380.” *The American Historical Review* 64, no. 4 (1959): 855. See Also; Stephen Halliday, “The First Common Market?” *History Today* 59, no. 7 (2009): 31-37.

<sup>747</sup> Rotz, “The Lubeck Uprising of 1408 and the Decline of the Hanseatic League,” 3.

<sup>748</sup> “Agreement for Mutual Protection Between Lübeck and Hamburg” in *A Source Book for Medieval History*, Oliver Thatcher and Edgar McNeal, eds., (New York: Charles Scribner's Sons, 1905), 609-611.

<sup>749</sup> “(1) Each city shall, to the best of her ability, keep the sea clear of pirates, so that merchants may freely carry on their business by sea. (2) Whoever is expelled from one city because of a crime shall not be received in another. (3) If a citizen is seized (by pirates, robbers, or bandits) he shall not be ransomed, but his sword-belt and knife shall be sent to him (as a threat to his captors). (4) Any merchant ransoming him shall lose all his possessions in all the cities which have the law of Lübeck. (5) Whoever is proscribed in one city for robbery or theft shall be proscribed in all. (6) If a lord besieges a city, no one shall aid him in any way to the detriment of the besieged city, unless the besieger is his lord. (7) If there is a war in the country, no city shall on that account injure a citizen from the other cities, either in his person or goods, but shall give him protection.” “Lübeck, Rostock, and Wismar Proscribe Pirates” and “Decrees of the Hanseatic League 1260-64.” in *A Source Book for Medieval History*, Oliver Thatcher and Edgar McNeal, eds., (New York: Charles Scribner's Sons, 1905), 609-611.

<sup>750</sup> “Decrees of the Hanseatic League 1265,” Ibid.

<sup>751</sup> Loyd, *England and the German Hanse, 1157-1611: A Study of Their Trade and Commercial Diplomacy*, 3.

<sup>752</sup> Rotz, “The Lubeck Uprising of 1408 and the Decline of the Hanseatic League,” 2.



As the shift towards a Hansa of towns was occurring there was an expansion of foreign Hansa trading posts (called Kontor). This expansion included new towns created during the German crusades and towns set up in Prussia, Pomerania, and Mecklenburg, as well as establishing trading posts and obtaining trading concessions in outlying areas such as Russia, Poland, Norway, Sweden, Flanders, and England.<sup>753</sup> The trading post community of German merchants in London called the "Hansa Almaniae" was an important merger of merchants from Cologne and the Rhineland, with the Baltic merchants led by Lübeck. Some scholars point to the creation of a truly German Hansa in London as the point where Cologne recognized the leadership of Lübeck in the Hansa.<sup>754</sup> Hansa merchants had the right to trade in all the markets in England without paying customary taxes and were protected by English law as special permanent residents (granted denizenship) with freedom from general arrest. An official of the Hansa shared municipal authority as an alderman of London and also exercised judicial power between Hansa members, and in cases between Hansa merchants and Englishmen.<sup>755</sup> The London Hansa (the Steelyard) demonstrates the considerable influence and privilege a Hansa Kontor had locally as well as the merger of regional associations into a larger community. The development of a wide spread community headed by Lübeck can be seen in 1293 when Lübeck was named by the Novgorod Kontor as its judicial court of appeals.<sup>756</sup> The Hansa had three regional groups; Lübeck leading the Wendish towns and the Saxons, the Rhenish with the Westphalian and Prussian towns, and finally Gotland with Livonia and Sweden.<sup>757</sup> The

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<sup>753</sup> Loyd, *England and the German Hanse, 1157-1611: A Study of Their Trade and Commercial Diplomacy*, 5.

<sup>754</sup> Rainer Postel, "The Hanseatic League and its Decline." Paper read at the Central Connecticut State University, New Britain, CT, on 20 November, 1996. Available from <http://www.hartford-hwp.com/archives/60/039.html> Internet; accessed 3 September 2010. See Also; Loyd, *England and the German Hanse, 1157-1611: A Study of Their Trade and Commercial Diplomacy*, 6, 15-20.

<sup>755</sup> Palais, "England's First Attempt to Break the Commercial Monopoly of the Hanseatic League, 1377-1380," 852-854. See Also; Loyd, *England and the German Hanse, 1157-1611: A Study of Their Trade and Commercial Diplomacy*, 22-30.

<sup>756</sup> Postel, "The Hanseatic League and its Decline."

<sup>757</sup> Peter Johanek, "Imperial and Free Towns of the Holy Roman Empire," in *A Comparative Study of Thirty City-State Cultures*, ed. Mogens Herman Hansen (The Copenhagen Polis Center, Denmark: Printed by Special Trykkeriet Viborg, 2000), 305. See Also; Palais, "England's First Attempt to Break the Commercial Monopoly of the Hanseatic League, 1377-1380," 855.

larger community came together as a Diet (Hansetag) in 1358 in Lübeck. This is the formal start of the Hanseatic League's rise to power and prominence in Europe.<sup>758</sup>

Prior to the first Hansetag in 1358, the Hanseatic towns had already achieved a number of military successes.<sup>759</sup> The crucial fight however, was against King Waldemar IV of Denmark who had attacked Hanseatic towns and trade. Delegates from the major Hanseatic towns (over 70 towns) met in Cologne in November 1367. The assembly decided to create a Confederation (verbund) called the 'Confederation of Cologne' that lasted until 1385. The Hansetag wrote specific measures in the act that created the confederation such as funding the conflict through an additional customs duty in all ports (specified in each currency then in use), naming the required military contributions of each town and when they would depart as well as the rendezvous area for the attack on Denmark. Those towns not providing military forces were to provide financial support. Towns that did not support the war were to be expelled from the league and suffer an embargo of their ships, goods and merchants. The Cologne Confederation then entered alliances with Mecklenburg, Sweden, and the Count of Holstein along with some Danish nobles who rebelled against King Waldemar. The Cologne Confederation raised a military force larger than the one called for by the Hansetag and was prepared to attack in April 1368. The conflict lasted through the summer with the Danes being defeated everywhere. Copenhagen and its port were destroyed, Jutland was attacked by the Count of Holstein, and Scania was overrun by the Swedes. The Hanseatic forces, led by the son of Lübeck's burgomaster, were able to sack and plunder Danish towns at will. The Danish state council was forced to sue for peace and a treaty was signed in May 1370 at Stralsund. The Peace of Stralsund was high-water mark for the Hanseatic League in terms of its military power. The Hansa did not impose new trade privileges but was content with restoring the status quo ante bellum; except trade privileges applied to the Cologne Confederation as a whole not to individual towns. Denmark had to pay compensation for 15 years and the fortresses controlling the Sound (Öresund), were held by the Cologne Confederation giving the Hansa control of the main

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<sup>758</sup> Postel, "The Hanseatic League and its Decline." See Also; Halliday. "The First Common Market?", 31-37.

<sup>759</sup> Helen Zimmern, *The Hansa Towns* (New York: G.P. Putnam's Sons, 1889), 50.

waterway between the Baltic and the North Sea. Denmark had to seek approval of the Cologne Confederation when selecting a new King involving The Hansa directly in choosing a sovereign prince.<sup>760</sup> The Peace of Stralsund marked the Hanseatic League as a major power, since it had raised large fleets and armies, directed the operations of its armed forces, and won a military victory over an important kingdom. It also preserved the Hanseatic League's monopoly on trade in the Baltic. Despite the advantages gained by close cooperation, the Cologne Confederation did not last beyond the fifteen years that it controlled the fortresses on the Sound. The Cologne Confederation had the potential to become a permanent organization. Its members however, were not sure that they should remain so tightly bound to each other in a political and military alliance in the absence of an imminent threat. The Hansa was concerned with trade privileges and commercial interests, not in conquest.<sup>761</sup> In fact the Hansa tried for the most part to use economic measures and refrain from armed conflict as being bad for business using embargoes in 1388 against Russia, Flanders, and England simultaneously to enforce their demands rather than resort to armed conflict.<sup>762</sup> However, there were numerous occasions in which the Hanseatic League or portions of it did fight.

Denmark and the Hanseatic League fought another war from 1425 to 1435 which caused division between different parts of the Hansa since the Prussian and Livonian towns didn't participate. The Hanseatic League regained all its privileges in Denmark and Norway in the Peace of Vordingborg.<sup>763</sup> Competition and tensions over commercial and trade interests were most pronounced with English and Netherlands merchants and the Hanseatic League fought them both. The conflict with the Netherlands came in 1438 after the Hollanders, who resented Hanseatic trade restrictions and had been raiding Hansa shipping, seized a Hanseatic salt fleet. The Hanseatic League blockaded the Sound and stopped the grain

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<sup>760</sup> Philippe Dollinger, *The German Hansa* (Chippenham, Wiltshire, Great Brittan: Macmillan and Co. Ltd., 1970; reprint of 1970 edition: New York: Routledge/Thoemmes Press, 1999, page citations are to the reprint edition), 67-71. See Also; Zimmern, *The Hansa Towns*, 48-69. See Also; Peter Johanek, "Imperial and Free Towns of the Holy Roman Empire," 305. See Also; Postel, "The Hanseatic League and its Decline."

<sup>761</sup> Dollinger, *The German Hansa*, 71-72. See Also; Zimmern, *The Hansa Towns*, 69. See Also; Postel, "The Hanseatic League and its Decline."

<sup>762</sup> Dollinger, *The German Hansa*, 72-73.

<sup>763</sup> Ibid., 295-296.

shipments to the Low Countries. The Prussian towns refused to participate militarily. The turning point in the conflict was diplomatic. The King of Denmark (who had reason to oppose the Hansa) allowed the Netherlands merchants equal trade rights with the Hansa in Denmark. The Hanseatic League was forced to agree to the Treaty of Copenhagen in 1441 in which the Netherlands and Hanseatic League recognized each other's rights to trade freely and without obstacles to navigation. After this point the Netherlands merchants expanded their trade in the Baltic as the Hansa's share of the trade slowly declined.<sup>764</sup>

The conflict with England occurred after decades of commercial competition, diplomatic tension, back and forth trade restrictions, and piracy.<sup>765</sup> When the Danes seized an English fleet, the English blamed the Hanseatic League and in July 1468 all Hanseatic merchants in England were arrested and their goods seized. Cologne moved to protect its interests in England and made a separate deal to preserve its trade and disassociated itself from the Hanseatic League in England. Cologne instructed its merchants not to lend money or provide bonds for the other German merchants. Cologne decided not to attend the Hansetag in 1469 and its merchants in London were to form their own council and to correspond with English officials as merchants from Cologne; not as the community of German merchants. The intent was to obtain all the Hanseatic trade privileges for Cologne by itself. This succeeded and Cologne received the Hanseatic trade privileges through 1471 despite being warned in 1470 by the Hansetag that it faced expulsion from the Hanseatic League if it did not abide by collective decision making. On 1 April 1471 Cologne was expelled from the Hanseatic League. The Hanseatic League at the same time found itself at war with France over the ownership of a vessel in Danzig and various acts of piracy. The conflict with England (and France) was primarily fought at sea with Hanseatic League privateers having success but their fleets being defeated by both England and France. The Duke of Burgundy worked to mediate the conflict first with France and then with England; the result was the 1474 Treaty of Utrecht. Under the Treaty of Utrecht the Hanseatic League's trade privileges were confirmed, all buildings in London and in

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<sup>764</sup> Ibid., 299-300. See Also; Loyd, *England and the German Hanse, 1157-1611: A Study of Their Trade and Commercial Diplomacy*, 174-175.

<sup>765</sup> Loyd, *England and the German Hanse, 1157-1611: A Study of Their Trade and Commercial Diplomacy*, 180-200.

other markets were returned to be owned freely by the Hanseatic League. The treaty guaranteed the operation of the Steelyard for the next hundred years until Elizabeth I closed it permanently. The other outcome was the isolation and humiliation of Cologne. Cologne was forced to beg to be readmitted to the Hanseatic League and to pay the penalties imposed by the Hansetag held in Bremen in 1476, as well as to pay damages to the Bruges Kontor and London Steelyard caused by its actions.<sup>766</sup>

The Treaty of Utrecht was the last major success for the Hanseatic League. By the end of the fifteenth century it not only faced commercial competition but opposition from newly forming states who resented the trading privileges of foreign Hanseatic League merchants. Another indicator of the decline of the Hanseatic League was a lapse in participation. The Hansetag in 1518 expelled thirty one towns for lack of participation.<sup>767</sup> This reflects a gradual decline in Hanseatic League membership that continued through its end in 1669. An attempt to restore the Hanseatic League militarily was undertaken when Reformation supporters made Jürgen Wullenwever the Mayor of Lübeck in 1533. He attempted to exclude the Netherlands and English merchants from the Baltic, tried to restrict cargoes in the Baltic to Hansa vessels, as well as prevent the Netherlands from obtaining shipbuilding technology developed in Lübeck and Danzig. Other Hansa towns did not support Lübeck which fought the Hollanders at sea alone. Jürgen Wullenwever then involved Lübeck in the Civil War in Denmark (called the Counts War) which had some initial success but after defeats on land and at sea Lübeck sued for peace and Wullenwever was captured by his enemies and executed.<sup>768</sup> This setback for Lübeck did not end the Hanseatic League and it recovered a good bit of its trade during the conflict between the Low Countries and Spain. There was a move to try and reverse the decline of the Hanseatic League which was done by attempts at reorganization and strengthening of institutions. There were two main actions taken to implement stronger institutions. The first was the appointment in 1556 of a “Syndic of the Hansa” (chief advocate or lawyer) which was the first Hansa official. The duties were to set the agenda for the

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<sup>766</sup> Dollinger, *The German Hansa*, 305-310. See Also; Loyd, *England and the German Hanse, 1157-1611: A Study of Their Trade and Commercial Diplomacy*, 200 -215.

<sup>767</sup> Ibid., 316-317.

<sup>768</sup> Ibid., 323-327. See Also; Postel, “The Hanseatic League and its Decline.” See Also; Halliday, “The First Common Market?”, 31-37.

Hansetags and to deal with issues between sessions; functions that had been handled by the Lübeck council. This position remained until the end of the Hanseatic League.<sup>769</sup> The other act was the creation of a constitution by the Hansetag of 1557 which was to establish a confederation to last for ten years. The constitution was sealed by the four regional leading towns of the Hansa (Cologne, Lübeck, Brunswick, and Danzig) and accepted by sixty three towns at the diet. It was mostly a reiteration of previously accepted ordinances including common military action against aggressors. There was an attempt to set up regular annual financial contributions, the lack of a common treasury hampered attempts to establish regular finances. The previous method of a town advancing funds hoping to be repaid continued to be unsuccessful and although a treasury was established in 1612 it never had the resources to function as a funding mechanism for the Hanseatic League. Another measure of institutional strengthening was an increase in the number of Hansetags, which met almost every year from the mid-1550s to 1621.<sup>770</sup> The Thirty Years War ended any chance of a renewed Hanseatic League. With the war devastating large portions of Northern Europe the Hansetag authorized Lübeck, Bremen and Hamburg to act for the entire Hansa in 1629. These towns in pursuit of reviving the Hanseatic League at the end of the war managed to be included in 1648 in both the peace negotiations that resulted in the Peace of Munster between Spain and the Netherlands as well as in the Treaty of Westphalia. The inclusion of the Hanseatic League in the Treaty of Westphalia was the first mention of it in any official document of the Holy Roman Empire. It really marked the end of the league however, since no Hansetag met until 1669 because of lack of attendance. At that time only six towns attended, nothing was decided, and it was the last Hansetag and the end of the Hanseatic League.<sup>771</sup>

#### **4-2. (b). The Government**

The Hanseatic League had no explicit founding charter and no formal fixed list of members. This lack of organizational specificity was beneficial to the Hanseatic League given the time and area in which

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<sup>769</sup> Dollinger, *The German Hansa*, 334-335.

<sup>770</sup> Ibid., 332-335.

<sup>771</sup> Postel, "The Hanseatic League and its Decline." See Also; Johaneck, "Imperial and Free Towns of the Holy Roman Empire," 305.

they operated. Although some founding members were Imperial cities in the Holy Roman Empire owing allegiance only to the Emperor, most other towns within the Empire had other rulers and lords to contend with. The Holy Roman Empire's capacity for governance was quite weak in Northern Germany which left many of these towns operating as de facto city-states and for the most part the Hanseatic League was ignored by the Empire.<sup>772</sup> On the other hand, associations, confederations, leagues, conspiracies and pacts between cities were prohibited by the law of the Empire; The Diet of Worms 1231 and the Golden Bull of 1356.<sup>773</sup> This provided a good reason to be non-specific about organization and membership. Another reason was that specific lists of members could be used by enemies to apply pressure against specific towns and divide the Hanseatic League or to hold all of them liable for the actions of a few. A clear example is the accusation by England's King Edward IV when he arrested the Hansa merchants in 1468 that the Hansa "was a society, cooperative or corporation, originating from a joint agreement and alliance of several towns and villages, being able to form contracts and being liable as joint debtors for the offences of single members."<sup>774</sup>

The Lübeck syndic responded to Edward IV that:

"The Hansa was neither a society nor a corporation, it owned no joint property, no joint till, no executive officials of their own; it was a tight alliance of many towns and communities to pursue their respective own trading interests securely and profitably. The Hansa was not ruled by merchants, every town having its own ruler. It also had no seal of its own, as sealing was done by the respective issuing town. The Hansa had no common council, but discussions were held by representatives of each town. There even was no obligation to take part in the Hansa meetings and there were no means of coercion to carry through their decisions."<sup>775</sup>

Therefore, the Hanseatic League could not be held corporately liable. This deliberately ambiguous posture was a legal defense. In addition this lack of definition allowed the widest use possible of Hanseatic trade privileges by German merchants in foreign countries whose membership was difficult to determine.

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<sup>772</sup> Rotz, "The Lubeck Uprising of 1408 and the Decline of the Hanseatic League," 2. See Also; Johanek, "Imperial and Free Towns of the Holy Roman Empire," 304.

<sup>773</sup> Zimmern, *The Hansa Towns*, 43. See Also; "The Golden Bull of the Emperor Charles IV 1356 A.D." The Avalon Project, Yale Law School. Available from <http://avalon.law.yale.edu/medieval/golden.asp> Internet; accessed 20 September 2010.

<sup>774</sup> Postel, "The Hanseatic League and its Decline."

<sup>775</sup> Ibid. See Also; Johanek, "Imperial and Free Towns of the Holy Roman Empire," 304.

There was however, some organization to the Hanseatic League as a corporate body. Membership, while varying, was primarily a corporate matter with admission of a city requiring approval of the Hansetag and expulsion also being based on the decision of the Hansetag. The exception was individual cities unilaterally leaving the Hanseatic League and a one time appointment of the city of Neuss as a Hansa member by imperial decree. The most widely accepted figure is that the Hanseatic League had slightly over seventy main 'active' cities and about one hundred and eighty 'associate towns' that enjoyed Hansa privileges and were represented by a nearby large member city. Citizenship became an issue and only citizens of Hansa towns were supposed to enjoy Hanseatic trade privileges. However, after foreign merchants began to move to Hansa towns to become citizens for trade purposes, citizenship was redefined to mean only those born in Hansa towns with merchants being given certificates to prove citizenship. Also, to prevent merchants from small towns from falsely claiming Hansa privileges, the major cities were the only ones competent to provide certificates of Hanseatic membership. This left the issue of membership of small towns up to the large cities. There was one member of the Hanseatic League that was not a city or town and that was the Grand Master of the Teutonic Order. He was the only sovereign prince who was a member and he also had a number of towns under his control who were also members.<sup>776</sup> The other important note about the Hanseatic League is that the member towns were ruled for the most part by patrician families along with the commercial interests. It was Hanseatic League policy to support the ruling class of town councils and it expelled towns for falling under control of popular governments after uprisings such as the Brunswick uprising of 1374 or when subjugated by a territorial prince.<sup>777</sup>

The obvious corporate institution of the Hanseatic League was the Hansetag. From 1356 it was the decision making body for the Hansa. Although there were also regional diets which met more often those did not consider issues for the Hanseatic League as a whole. The Hansetag had the authority to decide as the supreme body all issues related to foreign affairs such as; ratifying treaties, dispatching

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<sup>776</sup> Dollinger, *The German Hansa*, 85-91. See Also; Loyd, *England and the German Hanse, 1157-1611: A Study of Their Trade and Commercial Diplomacy*, 9.

<sup>777</sup> Rotz, "The Lubeck Uprising of 1408 and the Decline of the Hanseatic League," 8, 15.



embassies and negotiations with foreign entities, issues of war and peace, embargoes and blockades. It was also the supreme body for financial and military issues; economic regulations; admission or expulsion of members; and acted as a mediator in disputes between towns. Its ability to raise funds through imposition of additional customs duties to fund military operations demonstrated significant power. Only the seventy main members or cities of Hanseatic League had the ability to send representatives. The representatives to the Hansetag followed instructions from their town councils based on what the announced agenda was supposed to be. These towns were the ones that had to provide military forces or financial contributions when needed. The Hansetag also could impose fines on members and representatives including fines for being late, leaving early or being absent from the Hansetag altogether. Attendance at the Hansetag however, was seen as a financial burden so there were usually much less than seventy towns represented. Hanesetags also did not have a set meeting location although the majority of them did take place in Lübeck. There was also no set date or interval for the Hansetag. The average for the fourteenth century was little less than once a year and in the fifteenth century it was once every three years. This can be attributed to the workings of the regional bodies that took care of local issues and so the Hansetags were only called when issues affected the Hanseatic League as a whole. Absences were however, a continual problem not only due to cost but also because non-attendance at diets was used by towns where issues were likely to go against them as a way to avoid unpleasant decisions.<sup>778</sup>

The Hansetag however, did not have its own administrative element and the Hanseatic League did not have any official until the appointment in 1556 of a Hanseatic syndic. How then did the Hanseatic League function? It functioned because the city of Lübeck performed the functions of administration and executive leader of the Hanseatic League during the time between meetings of the Hansetag. Not only was it the leader of the Hanseatic League from the beginning, but in 1418 Lübeck was asked to oversee the interests of the Hanseatic League which partly accounts for the decreased frequency of the Hansetags in the fifteenth century. Lübeck almost always took the initiative in calling and setting the date for the

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<sup>778</sup> Ibid., 92-93. See Also; Zimmern, *The Hansa Towns*, 202-208.

Hansetags. Lübeck's council would send invitations not only to member cities but to the Kontors and other guests including bishops, princes, and even the Emperor.<sup>779</sup> The adoption of a constitution by the Hansetag of 1557 that created a confederation for ten years along with the establishment of regular financial contributions and a common treasury (despite being ineffective) indicate at least an attempt to create some minimal level of organization for the Hanseatic League.

Regulation is an important function of government and it is clear that the Hanseatic League established a large volume of regulations. Given that most of its trade was done by ship, the extensive scope of Hanseatic regulation can easily be seen in commercial regulation, shipbuilding standards, and regulation of the merchant marine. The Hanseatic League determined the size and seaworthiness construction parameters for shipbuilders, required all its ships to be armed setting fixed rules for the military equipment and the number of sailors per ship. As convoys became common it published regulations for sailing in fleets that would force them to stay together. The Hanseatic League adopted detailed regulations governing the relationship and duties of sailors and captains, as well as the methods of execution of freight contracts by the captains including unloading times and freight claims. The Hanseatic League also supported navigation aids (lighthouses and buoys) and mandated the use of pilots when entering and leaving harbors. It protected shipping by suspending sailing during the winter, mandated a clear draught line to prevent overloading, and required captains and crews assist ships in danger. Other regulations covered jettison of cargo, plundering of ships by pirates, and rights of salvage.<sup>780</sup>

The problem with Hanseatic League regulation was the same problem faced by Hanseatic League policy; defection based on self interest (i.e. problems of collective action). Enforcement of regulation and policy was up to the member towns but since towns could be fined, sanctioned, or even expelled, they would for the most part comply. This fear of economic sanction not only worked to maintain policy and regulation within the Hanseatic League but was used through out the history of the Hanseatic League to

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<sup>779</sup> Ibid., 93-94.

<sup>780</sup> Ernst Daenell, "The Policy of the German Hanseatic League Respecting the Mercantile Marine," *The American Historical Review* 15, no. 1 (1909): 49-51.

force compliance with Hanseatic demands by foreign countries. So although there was no central administration there seems to have been sufficient mechanisms to overcome problems of collective action for the majority of issues. The Hanseatic League was not sovereign and could not command obedience, but in filling the political and economic vacuum in North Germany it did perform governmental functions.<sup>781</sup>

Was there a potential for the Hanseatic League to unite? First, there were other contemporary groups that formed Amalgamated Security Communities such as the Swiss and the Dutch. Although the leadership of the Hanseatic League has been categorized as conservative<sup>782</sup>, the Cologne Confederation demonstrated the potential for unity and the Confederation of 1557 confirmed the desire of significant elements to achieve greater unity. There were other efforts within the Hanseatic League such as the ‘Tohopesate’ which was a three-year defensive alliance of 38 towns against internal and external threats formed in 1443 in response to pressure from territorial princes and worked well enough to be renewed through 1451.<sup>783</sup> The most promising missed opportunity however, was in 1418 as the Hanseatic League recovered from the 1408 uprising in Lübeck which effectively left the League without its leadership during an eight year period. The towns decided that they wanted to come closer together and in 1417 Lübeck formed an alliance with the other Wendish towns. The Hansetag in 1418 was attended by a large number of towns from all three geographic regions as well as representatives from the Teutonic Order, the Emperor, Archbishop of Bremen, and the Dukes of Schleswig and Mecklenburg. This assembly drew up a ‘statute’ which was a draft Hansa charter with thirty two articles which mostly restated previous policies. However a type of Hanseatic League military alliance of forty towns that listed not only how many men at arms and crossbowmen each was to provide but also the method for their mobilization was

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<sup>781</sup> “The Hansa, while not a “state,” had acquired most of the powers of one. To some extent it ruled territory, indirectly through its member towns, and on occasion even directly (for example, the fortresses on the Sound, held collectively for a time by the members of the Confederation of Cologne under the terms of the Peace of Stralsund). Certainly it had its “sphere of influence” which it would need to defend, like other great powers of the day (and since). In other words, now it had not only economic, but also political ambitions which could come in conflict with the policies of major rulers. But when such conflict came, the League’s ability to act was ultimately dependent on the willingness of its member towns to unite.” Rotz. “The Lubeck Uprising of 1408 and the Decline of the Hanseatic League,” 5.

<sup>782</sup> Ibid., 8.

<sup>783</sup> Postel, “The Hanseatic League and its Decline.”

proposed. The Teutonic Order rejected the plan.<sup>784</sup> There was no other proposal or act that would have united the Hanseatic League to where it could have formed an Amalgamated Security Community.

#### **4-2. (c). Defense Cooperation**

The Hanseatic League (or portions of it) was involved in numerous military operations; particularly naval actions. Their naval forces were usually comprised of armed merchant ships, although Lübeck at one point possessed the largest warship in the world (the war galleon Adler von Lübeck).<sup>785</sup> Militarily the Hanseatic League was a coalition of the willing. The Hanseatic League did not require unanimity or a majority vote to act. This can be seen in the numerous sub-groupings, coalitions, and alliances among different towns within the Hanseatic League that engaged in military actions at different times. Towns that decided to act consulted each other and after deciding who supported the decision and who would not participate they would form a coalition and execute whatever was to be done militarily. Those towns not participating would be exempted from the belligerents. This was the case several times between the Prussian and Wendish towns. However, this did weaken the bonds between the members of the Hanseatic League. There was never any Hanseatic League army or navy. The military forces of the Hansa were provided by the major cities as needed for specific campaigns. The only really joint aspect was the common funding mechanism of extra customs duties and financial contributions from towns that could not provide troops. Cities provided ships and troops (including mercenaries) and the combined force might be led by a single commander. This was the case during several campaigns such as the ones against King Waldemar that were led by commanders from Lübeck. Lübeck usually did provide the command for operations, but there were also operations undertaken by other cities such as fleets from Danzig. The Hanseatic League did undertake numerous military operations but the most that can be observed is close military cooperation in several conflicts and general or loose cooperation in others. There was no integration of military capabilities and the capacity to produce military capability between the members of the Hansa and there was no formation of an Amalgamated Security Community.

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<sup>784</sup> Dollinger, *The German Hansa*, 289-291. See Also; Postel, "The Hanseatic League and its Decline."

<sup>785</sup> "Adler von Lübeck" available from <http://www.deutsche-museumswerft.de/projekt00.php> Internet; accessed 20 September 2010.

#### **4-2. (d). Review of the Hanseatic League as a potential ASC that failed to form.**

Was the Hanseatic League a potential ASC? First, it was definitely a community; in fact several scholars prefer to call it a community rather than a League. It was a community focused on mutual commercial advantage. It also absolutely was a security community that fought wars not only to advance its commercial interests but also in defense of the members of the community. Second, there was at least an identifiable minimal common identity partly based on North German language and culture, not just on commercial ties, that was reinforced by over four hundred years of shared history. This was expressed not only by citizenship requirements, but by common brick Gothic style of construction (step-gabled brick architecture) that is still extant in the old towns of former Hanseatic cities.<sup>786</sup> Third, objections to the possibility that the Hanseatic League could have formed an Amalgamated Security Community include the lack of sovereignty of the member “city-states” who owed allegiance to multiple territorial princes and that the Hanseatic League was too dispersed and non-contiguous. The answers to these objections is that other contemporary communities of the Dutch and Swiss, that were composed of entities that owed allegiance to different princes, managed to form their Amalgamated Security Communities, and that the Baltic and the rivers tied the Hanseatic League together in an era when waterways were the most rapid and efficient method of moving not only goods but moving and sustaining military forces as well. The cities of the Hanseatic League would in that time have been closer together because of water transportation than most contemporary contiguous land based states. Fourth, although it had a minimal organization it did function as a government; regulating commerce, negotiating treaties, imposing sanctions etc... The Hanseatic League filled the economic and political power vacuum in Northern Germany. There were attempts at several junctions to create a closer confederation; e.g. the constitution of 1557 and especially in 1418. These were unsuccessful but how can the Hanseatic League be described? Scholars have called it a ‘singular institution of the middle ages’, a ‘community of interests’, and an ‘organization that resembled a federation but lacked the legal elements of a federation’.

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<sup>786</sup> David Gaimster, “A Parallel History: The Archaeology of Hanseatic Urban Culture in The Baltic c.1200–1600.” *World Archaeology* 37, no. 3, (2005): 408 – 423.

A potential explanation is that the Hanseatic League was a Pluralistic Security Community. Emmanuel Adler and Michael Barnett clearly indicate that the argument of neo-liberal intuitionism, whereby international economic associations that encourage economic interchange also engenders international arrangements intended to produce security, is part of the development of security communities. The development and leadership by ‘core states’ (in this case Lübeck. and Hamburg) of an organization to: facilitate trust, mutual accountability, institutionalize reciprocity, generate norms, identify common interests, produce charters and agendas, as well as convene meetings and provide protection to members, clearly indicates that the Hanseatic League was initially a “nascent pluralistic security community.” It evolved over time to an “ascendant” community as networks of interaction deepened and there was a development of a collective identity that not only had a reasonable expectation of peaceful change but was ‘facilitated by the existence of common ideas of material progress and security’ that could best be guaranteed by members of the community acting together. The Hanseatic League reached the level of a “mature” pluralistic security community. There was no expectation of using armed force against any member and clear differentiation between members and those outside the community. There was clear multilateralism in which decision making procedures, conflict resolution and adjudication were based on consensual mechanisms. Military planning was focused on external threats and when faced by a common enemy military action was undertaken jointly. The Hanseatic League's ‘discourse and language of the community’ reflected community standards and the norms of the community. This included the common regulation of trade, shipbuilding and the merchant marine as well as negotiations and foreign policy. The weakest element in the “mature” pluralistic security community of the Hanseatic League was in the common definition of threats. Although they did not include each other as threats, foreign enemies were only agreed upon in some cases (e.g. the Danes in 1370, the Flemish and English in 1388) but in other conflicts, such as against the Dutch in 1441 and English in 1474, the Prussian towns did not participate and Cologne was expelled from the League. Also the numerous sub-groupings and alliances such as the ‘Tohopesate’ indicate that a common definition of a threat was a weakness. The lack of solidarity in foreign policy and military affairs, and pursuit of individual rather than collective interest in terms of

threats and willingness to sacrifice militarily or financially within the collective security framework of the Hanseatic League, is recounted time and again as the chief weakness and sign of divisiveness within the league by numerous scholars. There were some elements that mark a tightly coupled pluralistic security community in the history of the Hanseatic League. There is obvious evidence of cooperative and collective security in the various conflicts it fought against external threats. There was clearly policy coordination against “internal” threats based on the Hanseatic League’s policy of support for patrician ruling councils of the towns and expulsion of towns that violated this policy and succumbed to popular uprisings. The free movement of people and goods was one of the founding principles of the Hanseatic League. It was in some ways a “Multiperspectival” polity in which rule was shared at the city-state (national), regional (transnational), and Hanseatic League (supranational) levels with certain functions reserved to each. The Hanseatic League however, does not quite meet the criteria to be a tightly coupled pluralistic security community set forth by Adler and Barnett.<sup>787</sup> Directly tied to the key weakness of the Hansa as a mature pluralistic security community to identify common threats and take common action in more than a few cases, is the lack of a high level of military cooperation.<sup>788</sup> There was military cooperation in the Hanseatic League but it was on an intermittent basis with other clear cases of a lack of cooperation tied to the failure to consistently identify an external threat. This was clearly an impediment to integration and did nothing to build trust or a common identity; rather it did the opposite and is noted as being part of the reason the Hanseatic League failed to remain united by many authors. The Hanseatic League can therefore be described as being somewhere between a loosely coupled and tightly coupled pluralistic security community.

To borrow a phrase, the business of the Hanseatic League was business, and despite having the ability to overcome many collective action problems, creating a pluralistic security community with a

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<sup>787</sup> Adler and Barnett eds., *Security Communities*, 50-57.

<sup>788</sup> This paper proposed that to be more precise and to create the conceptual space necessary for examining the process of creating Amalgamated Security Communities, it is necessary to modify this description of tightly coupled security communities by replacing - A high level of ***military integration*** with A high level of ***military cooperation*** in the criteria outlined by Adler and Barnett on pp. 56-57 of *Security Communities*. Underlined word cooperation used by this author in place of *integration* in the original text.

common identity and culture, it failed to form as an Amalgamated Security Community primarily because its focus was on defending commercial interests not on defending against an external threat. What the Swiss and Dutch examples have and the Hanseatic League lacked was a persistent common external threat that forced them to engage in at least a partial integration of military capabilities and the capacity to produce military capability to survive. The Hansa lacked this impetus and remained focused on commercial interest which prevented the identification of a common enemy and subsequent integration.<sup>789</sup> At least in the case of the Hanseatic League economic integration does not lead to military integration and the formation of Amalgamated Security Communities.

#### **4-3. Zollverein Parliament.**

Another interesting example was the parliament created for the Zollverein almost concurrently with creation of the North German Confederation in June 1867. This case is important because Germany was clearly a potential ASC that did form. The Zollverein was a customs union of the German states that had been economically beneficial for the participants prior to the Austro-Prussian War in 1866 and Zollverein Treaties were renewed immediately after the conflict. In addition, following the Austro-Prussian War, Berlin became a financial center. Bismarck supported the creation of a body to better manage the customs union. Bismarck's overriding goal however was German unification under the guidance of Prussia and he believed that a Zoll Parliament including representatives from both northern and southern Germany, elected by universal male suffrage, would create a community of interest that would remove prejudices against closer political union. Bismarck based his calculation on the fact that chambers of commerce, trade associations, merchants, and industrialists all favored greater political

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<sup>789</sup> "Schisms and divisions were apt, above all, to take place when there was a question of beginning a war, as this could never be done without general approbation. Each town was inclined to throw the burden on its associates, for as each was solely preoccupied with its personal interests, and only entered into the League with a view to the profits it could thus obtain, there was always in the minds of the delegates a tacit reserve to make as few sacrifices as possible, and as time went on they were even ready to abandon their allies, and let the League perish if they did not find themselves directly benefited by any sacrifice demanded by the common weal. What held them together at all was, in a word, nothing more noble or ideal than personal advantage, the fear through exclusion of losing the great advantages that accrued from being a member of the League. No wonder that with an ambition so little exalted the Hansa was destined not to survive until our own day." "The wonder is rather that seeing what motives animated its members, the defective character of the means at its disposal, such as the lack of a standing army, and the constant mutations in its form of government, it should have attained to such mighty results as we have roughly sketched in this ...period of its existence." Zimmern, *The Hansa Towns*, 206-208.



unification in Germany as being economically attractive (much the same way as standardization of regulations and transaction costs in the EU help foster commerce). Bismarck saw this as a way to make future political gains for bringing the southern states into the Prussian dominated North German Confederation and therefore supported the creation of a Zoll Parliament with jurisdiction over tariffs, commercial and navigation negotiations, and the regulation of excise taxes. Bismarck wrote that “Everything depends on the direction and swiftness with which public opinion develops in southern Germany, and a fairly secure judgment about that will first become possible through the customs parliament.”<sup>790</sup> Bismarck thought it would follow the lead of the North German Confederation regarding citizenship and passports in addition to trade matters. He thought it would have a natural growth that could over time produce a demand for closer union between the north and south.<sup>791</sup> This hope was misplaced however, as the southern states harbored deep resentment of Prussia. In the early 1868 elections only 12 out of forty eight delegates from Bavaria and none of the delegates from Wurttemberg were in favor of union with the north and in Baden only a slight majority favored union. It was a crushing defeat for the German nationalists. The opposition from the southern states and resentful Hanover delegates along with others opposed to increased Prussian influence were able to block anything of significance regarding greater unification including a resolution backed by Baden and Hesse calling for unification of Germany and economic freedom.<sup>792</sup> It is clear in this example that economic considerations and nationalist desires could not overcome political obstacles and local interests to form a German ASC. It was military integration that formed the German ASC, not economic integration.

In the process of looking for failures of potential Amalgamated Security Communities to form it became evident that there is a lack of empirical evidence (other cases) for any Amalgamated Security Community to have formed through a different mechanism that then resulted in political integration which caused subsequent military integration. What history demonstrates empirically is that other forms

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<sup>790</sup> Otto Pflanze, *Bismarck and the Development of Germany: The Period of Unification, 1815-1871*, (Princeton, NJ.: Princeton University Press, 1963). 395.

<sup>791</sup> Ibid.

<sup>792</sup> Gordon A. Craig, *Germany 1866-1945* (New York: Oxford University Press, 1978), 15-20.

of integration without military integration fail to create ASCs. Amalgamated Security Communities empirically are the result of military integration not the cause of military integration. This prevents the argument of this study from being simply definitional.

#### **4-4. ASC Failure by Disintegration; review of state disintegration literature**

Before examining the failure of ASCs due to disintegration a brief review of work regarding the disintegration of states, especially in regard to revolution, which has a robust literature, is obligatory. The 1979 seminal work, “*States and Social Revolutions*” by Theda Skocpol, laid the foundation for further work on the subject by offering the state as an actor with its own interests, refuting Marx by proposing an autonomous state that is not simply a reflection of the power and will of the dominant social classes. For Skocpol, social revolution involves social and political structural changes that occur as a result of different combinations of factors such as state-elite relations, military defeat, financial crisis, mobilization of rural and urban populations, which create political crises and the opportunity for revolution. In her view a key contributing factor to the Russian revolution was the defeat and breakdown of the military organization in World War I that stripped the state of its monopoly on coercion and ability to suppress opposition and therefore lost legitimacy and popular support. In China the creation of the ‘New Armies’ that were regionally based and supported by the provinces ended up being the basis of the 1911 revolt as well as the power base of warlords that fractured the country. In addition the reliance of the Nationalist Chinese government on support from semi-autonomous former warlords was a crucial weakness. In France administrative chaos and military breakdown (decentralization of the means of coercion) doomed the Ancien Régime. Administrative and military breakdown is a key component of social revolution according to Skocpol.<sup>793</sup> Skocpol later noted that what revolutionary regimes do best is to mobilize citizen support regardless of class for protracted international warfare.

“if revolutionary leaders can find ways to link a war against foreigners to domestic power struggles, they may be able to tap into broad nationalist feelings as well as exploit class and political divisions in order to motivate supporters to fight and die on behalf of the new regime.”  
“The best evidence of this has been the enhanced ability of such revolutionized regimes to

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<sup>793</sup> Theda Skocpol, *States and Social Revolutions: A Comparative Analysis of France, Russia, and China* (Cambridge, England: Cambridge University Press, 1979)

conduct humanly costly wars with a special fusion of popular zeal, meritocratic professionalism, and central coordination.”<sup>794</sup>

It is an interesting turn where military and administrative breakdown is a key component of social revolution but the revolutionary regimes that result are very capable militarily. This is according to Skocpol because the methods and organizations developed in the revolutionary struggle are easily converted to mobilizing resources and people for waging war; i.e. generating military capabilities. Popular *zeal* and nationalist *feelings* generated by conflict with foreigners certainly includes affinity for fellow brothers-in-arms in the revolutionary military forces which becomes wide spread by mass military mobilization. Mass military mobilization then must play a significant part in the construction of strong states with increased loyalty to the new regime. Although not addressed directly it seems that this supports the proposed argument of this paper that military forces are key to the development of identity and new regimes; in this case revolutionary regimes and for the purposes of this paper Amalgamated Security Communities.

Work by other scholars continued to investigate revolutions and state breakdowns and found that they do not come from any single source but are the result of a variety of combinations of convergent conditions that result in the failure of the administrative function of the state. These converging conditions result in either popular uprisings or revolts by elites that cause the collapse of the state's administrative capacity and replacement of one governing group by another.<sup>795</sup> There are further concepts of the state as being more than just an administrative apparatus. Mann who described four sources of

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<sup>794</sup> Theda Skocpol, “Social Revolutions and Mass Military Mobilization,” *World Politics* 40, no. 2 (1988): 147-168.

<sup>795</sup> “Almost all the predominant theories of revolution are not very much concerned with how the state breaks down in the sense of being fragmented, and they tend to confine the issue of revolution largely to a question regarding the change of hands between social groups in controlling the state administrative apparatus.” “To some extent, state fragmentation has been discussed in scholarly literature on secessionism or irredentism. Relevant theories aimed at explaining the origins of ethnonationalist conflicts revolve around the demand for formal withdrawal from a host state, either by claiming independent sovereign status or by joining another existing state.” “Strictly speaking, theories of ethnonationalism are not theories of state breakdown. Rather, they are variants of general social movement theory because their analyses focus more sharply on the dynamics of movements themselves than on the macro structural conditions under which such collective actions occur. In this sense, secessionist/irredentist movements are merely part of the process of state fragmentation, not the cause of it. As a matter of fact, very few secessionist movements have succeeded when the central state power is highly effective.” Jieli Li, “State Fragmentation: Toward a Theoretical Understanding of the Territorial Power of the State,” *Sociological Theory* 20, no. 2 (2002): 141.

social power (ideology, politics, economics, and military) sees the state as "crystallizations" of sources of power, i.e. fiscal balance, military power, bureaucratization, and extent of civilian penetration.<sup>796</sup> Again, while there are additional characteristics, military power is one of the primary defining aspects. Randall Collins however, gives primacy of place to the military dimension of state power as what defines a state as he describes the development of his Geopolitical Theory of State Power. Citing Weber he portrays state legitimacy as an outgrowth of its military power.

"Weber's treatment of the development of the state was formulated in this context; for Weber ([1922] 1968, pp. 901-26), the dynamics of legitimacy as well as the formation of ethnic identification and nationalism are connected to military struggles among states and to the organizational mode by which varying proportions of the population are mobilized and equipped for fighting."<sup>797</sup>

While other scholars do not give primacy of place to the military dimension of state power many do see it as a key factor in state breakdown and revolution. In addition to Skocpol's other work, Goodwin and Skocpol note that a state that is unable to defend its territory or secure its border creates a situation where revolutionary forces are more likely to emerge and therefore a revolution becomes more likely.<sup>798</sup> Collins and Waller also call attention to the fact that factional conflicts intensified when the Soviet military was weakened by over extension and military defeat, and as military control of satellite states deteriorated they began seceding from central control.<sup>799</sup> The literature on state disintegration and revolution, in addition to other aspects, includes military disintegration as one of the factors that plays a direct role. The congruence with the disintegration of ASCs into constituent parts is in cases where a state fragments territorially, not where there is a transfer of power within a state. The examination of the disintegration of ASCs furthermore may illuminate the process of how a state breaks down territorially as multiple jurisdictions with the capacity to generate military capabilities emerge. It also explains why few

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<sup>796</sup> Michael Mann, *The Sources of Social Power, Vol. II: The Rise of Classes and Nation-states, 1760-1914* (Cambridge, England: Cambridge University Press, 1993)

<sup>797</sup> Randall Collins, "Prediction in Macrosociology: The Case of the Soviet Collapse," *The American Journal of Sociology* 100, no. 6 (1995): 1154.

<sup>798</sup> Jeff Goodwin and Theda Skocpol, "Explaining Revolutions in the Contemporary Third World," *Politics and Society* 17, no. 4 (1989): 489-509.

<sup>799</sup> Randall Collins and David Waller, "What Theories Predicted the State Breakdowns and Revolutions of the Soviet Bloc?" *Research in Social Movements, Conflict and Change* 14, (1992): 31-47.

secessionist movements succeed when central state power is militarily effective. A direct examination of that process of state disintegration is beyond the scope of this paper. However, since an ASC can be a state or a supranational entity with a common government and at least partial military integration, yet remain within the definition of an ASC, there may be utility in a further examination of this process focused on non-ASC state disintegration in the future. The examination of the following case does indicate that the process of military dis-integration is crucial for the failure of ASCs.

#### **4-5. Yugoslavia**

This is a key example of an Amalgamated Security Community failure because as an integrated ASC it devolved into a partially integrated ASC and then disintegrated in the worst bloodshed in post World War II Europe. This case is instructive in several ways; there was a Yugoslav identity as well as other strong historic sub-ordinate identities, the YPA saw itself and was viewed as an integrative ‘Yugoslav’ institution, the YPA was willing to use force to maintain the integrity of Yugoslavia but was constrained by constitutional limits, the YPA recognized the danger inherent in the creation of security forces outside its control responsible only to the constituent republics but was unable to prevent their formation, and the leaders of the constituent republics clearly recognized the ramifications of the creation of their own security forces. Furthermore, the Yugoslav case presents several competing theories of why the state disintegrated. The popular but discounted reason is that Yugoslavia was doomed from its inception by the “Balkan Ghosts” of historic cycles of inevitable ethnic conflict. A more reasonable explanation is that an unscrupulous politician used ethnic nationalism to consolidate his power base but that process led to conflict. Another theory is that the state was so decentralized as to be ungovernable and that the weak structure caused the country to dissolve, and finally with the end of the Cold War and communism in Yugoslavia, the state was too slow to adapt to its changing environment and fell apart. In examining this case an alternative explanation for the failure of the Amalgamated Security Community that was Yugoslavia will be examined; that military disintegration preceded the breakup and caused the vicious cycle resulting in the failure of Yugoslavia.

**4-5. (a). History of Yugoslavia Post World War II.** Toward the end of World War II the armed force of the Communist Party of Yugoslavia (CPY) the Partizans, led by Josip Broz Tito, emerged as the dominant anti-fascist force in Yugoslavia. At the Teheran Conference the Partizans were recognized as a significant force to be supported by the Allied powers.<sup>800</sup> During the conflict there were a number of military forces both pro and anti-fascist (e.g. Ustaše and Chetniks) that opposed the Partizans, however, not all the military forces of the liberation movements that eventually formed the Yugoslav People's Army were under the direct control of Tito:

“The Slovene liberation movement was at least semi-detached from the Partisan movement. The Liberation Front (OF) was specific to Slovenia and forged bonds with Tito's movement; the OF organized a military force in Slovenia.”<sup>801</sup>

Also in November 1943 the Anti-fascist Council for the National Liberation of Yugoslavia (AVNOJ) which was an umbrella organization composed of the various *National* Anti-Fascist Councils of the regions of Yugoslavia met in Jajce.<sup>802</sup> The AVNOJ voted to reconstruct the country as a federation based on the “right of every people to self-determination, including the right to secession or unification with other peoples”, with “full equality for Serbs, Croats and Slovenes, Macedonians, and Montenegrins, and all rights to be guaranteed for national minorities.”<sup>803</sup> The AVNOJ also named Tito as Marshal of Yugoslavia and Prime Minister. Although the AVNOJ was heavily influenced by the Partizans it included prominent non-communists and representatives of the various ethnic groups. Tito also met with Ivan Šubašić, the head of the Yugoslav government-in-exile, who received assurances that there would be a mixed government (communist and non-communist) after the war and in return accepted that the AVNOJ would be a provisional government until elections were held. The first meeting of the Anti-

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<sup>800</sup> Federal Research Division, Library of Congress, *Yugoslavia a Country Study*, ed. Glenn E. Curtis (Washington DC.: U.S. Government Printing Office, 1992), 41.

<sup>801</sup> James Gow, *Legitimacy and the Military; The Yugoslav Crisis* (New York: St. Martin's Press, 1992), 98.

<sup>802</sup> These were; the Main People's Liberation Committee of Serbia; National Anti-Fascist Council of the People's Liberation of Croatia; Slovenian National Liberation Committee; National Anti-Fascist Council of the People's Liberation of Bosnia and Herzegovina; National Anti-Fascist Council of the People's Liberation of Montenegro; National Anti-Fascist Council of the People's Liberation of Sandazak; Initiative organ of the National Anti-Fascist Council of the People's Liberation of Macedonia.

<sup>803</sup> Snežana Trifunovska, *Yugoslavia Through Documents: From its Creation to its Dissolution* (Dordrecht, The Netherlands: Martinus Nijhoff Publishers distributed in the U.S. by Kulwer Academic Publishers, 1994), 206-207, 209-211.

fascist Assembly for the People's Liberation of Serbia met in September 1944 and entered into an agreement with the other five Anti-fascist Councils to form a Democratic Federal Yugoslavia.<sup>804</sup> This agreement to put into practice the declaration of the AVNOJ to create a federal Yugoslavia is the basis for considering Yugoslavia as an Amalgamated Security Community since the constituent councils voluntarily agreed to a common government with an integrated military force (a merger of the various liberation fronts into the YPA).

The CPY moved quickly to consolidate power supported by the People's Liberation Army and by the cadres of the State Security Service (OZNa). The CPY eventually eliminated the remaining democratic parties in the People's Front and fostered the creation of subordinate communist parties in the constituent republics.<sup>805</sup> So although the form of the state was federal it was administered by a central party with its central apparatus making the republics administrative divisions with no autonomy. In the process of consolidating power and constructing the new state the CPY had an advantage in the supranational makeup of the Partizans which was the result of a deliberate policy. The Partizans gained support from all the people's of Yugoslavia with their slogan of "Brotherhood and Unity" and the possibility for equality between the various constituent ethnicities and regions within a federal framework.<sup>806</sup> The CPY gained support from a strict policy of even-handedness between the nationalities (its leaders were from various ethnic groups) and sought out noncommunist allies. It could therefore portray itself as 'Yugoslav' rather than having its basis in one of the constituent nationalities.<sup>807</sup>

Yugoslavia broke with Stalin and relations with the USSR became very tense. Believing the USSR intended to overthrow Tito; the Federal Assembly in secret session declared a state of national

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<sup>804</sup> Leslie Benson, *Yugoslavia: A Concise History* (New York: Palgrave Publishers Ltd., 2001), 83-84. See Also; *Yugoslavia a Country Study*, ed. Glenn E. Curtis, 41.

<sup>805</sup> Benson, *Yugoslavia: A Concise History*, 84-86. See Also; *Yugoslavia a Country Study*, ed. Glenn E. Curtis, 42-43.

<sup>806</sup> Gow, *Legitimacy and the Military; The Yugoslav Crisis*, 22.

<sup>807</sup> Benson, *Yugoslavia: A Concise History*, 75-76.

emergency and prepared to resist an invasion.<sup>808</sup> The CPY purged all Stalinist influences and devised a different version of communism called ‘self-governing socialism’ that allowed for workers’ councils to exercise direct control over their own factories. The CPY changed its name to the League of Communists of Yugoslavia. In 1958 the League of Communists held its Seventh Congress that emphasized the development of a Yugoslav identity that was not an attack on any language or culture, but that ‘Yugoslavism’ was the proper focus of socialist nationalism of historically distinct peoples, therefore the old animosities were being transcended by a Yugoslav social identity. The reality was that national sensitivities were resurgent in the republics.<sup>809</sup>

The YPA was not as directly involved in politics from 1945 to 1966 as it was to become later on. Once Tito purged Aleksandar Ranković in 1966 and split parts of the SDB among the republics (except for a residual federal bureau) the political power of the YPA and its military Counter Intelligence Service (KOS) increased.<sup>810</sup> The removal of hard line anti-reform elements of the security services allowed economic reform to progress, encouraged other cultural reformers, and led to constitutional changes.<sup>811</sup>

The Warsaw Pact invasion of Czechoslovakia in August 1968 resulted in a review of Yugoslavia’s defenses. It was realized that facing an onslaught from the Warsaw Pact the YPA might be overwhelmed so a new doctrine of “Total People’s Defense” was devised. It stated that “any citizen who resists an aggressor is a member of the armed forces” the result being the concept of a nation in arms based in large measure on the Partizan experience of World War II. To put the concept into practice Territorial Defense Forces (TDF) were created in 1969. The TDF was made co-equal with the YPA.

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<sup>808</sup> Ibid., 89-95. See Also; *Yugoslavia a Country Study*, ed. Glenn E. Curtis, 43-47. See Also; Trifunovska, *Yugoslavia Through Documents: From its Creation to its Dissolution*, 212. (Article 1, Chapter 1, January 1946 Yugoslav Constitution)

<sup>809</sup> Benson, *Yugoslavia: A Concise History*, 96-103. See Also; *Yugoslavia a Country Study*, ed. Glenn E. Curtis, 46-50.

<sup>810</sup> Marko Milivojevic, "The Political Role of the Yugoslav People’s Army in Contemporary Yugoslavia.” in *Yugoslavia’s Security Dilemmas; Armed Forces, National Defense and Foreign Policy*. eds., Marko Milivojevic, John B. Allcock and Pierre Maurer (New York: St. Martin’s Press, 1988), 17-19.

<sup>811</sup> Benson, *Yugoslavia: A Concise History*, 108-116. See Also; *Yugoslavia a Country Study*, ed. Glenn E. Curtis, 50-53.



Notably the TDF was funded and organized by each of the constituent republics and autonomous provinces. A National Defense Council was established to oversee these reforms.<sup>812</sup>

Constitutional amendments passed in December 1968 changed the nature of the government into a true federation and granted power to the governments of the republics to make decisions on economic and social matters while reserving foreign affairs and defense to the federal government.<sup>813</sup> The reforms enacted in December 1968 had unintended consequences. The republic governments became more assertive and a real crisis came in 1971 in Croatia. Although the Defense Law of 1969 put part of national defense in the hands of TDF units organized and funded by the republics, the federal government and YPA were furious that Croatian leaders allowed an article to run in the Zagreb press in June 1970 *questioning the bias in favor of the Serbs in the Yugoslav People's Army* and police and it also called for greater control of defense policy within the republic. Croatian nationalists called for constitutional changes that would have given Croatia virtual independence. In October 1971 Croatian leaders expressed their desire for more control over their economy including control over their own foreign currency reserves. By this point Croatian nationalists were openly discussing topics that were clearly separatist such as having a UN seat and their own army. A nationalist student strike at Zagreb University was not tolerated by the central government and the student leaders were arrested by police and army forces. Tito intervened and forced the Croatian leaders to resign and purged the Croatian party and government of nationalists. Tito then purged the leadership of the other republics and began a recentralization of power.<sup>814</sup> Significantly there was Army involvement in the decision making process leading to the 1971 crackdown.

“It was the YPA which seemed to make him decide what to do. YPA pressure pushed Tito into acting against Croatia. The army did not intervene openly, but it seems to have been active behind

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<sup>812</sup> Gow, *Legitimacy and the Military; The Yugoslav Crisis*, 46-48. See Also; *Yugoslavia a Country Study*, ed. Glenn E. Curtis, 250-253.

<sup>813</sup> Benson, *Yugoslavia: A Concise History*, 117-118.

<sup>814</sup> *Ibid.*, 118-123. See Also; *Yugoslavia a Country Study*, ed. Glenn E. Curtis, 53-54. See Also; Gow, *Legitimacy and the Military; The Yugoslav Crisis*, 57-58. See Also; Christopher Bennett, *Yugoslavia's Bloody Collapse* (New York: New York University Press, 1995), 72-74.

the scenes. Tito's statements and subsequent developments indicated that, in the absence of leadership from the League of Communists, the army was 'footing the bill for the party'.<sup>815</sup>

In 1974 a new constitution was adopted that reiterated the equality of all constituent republics and autonomous regions as well as the right to self determination including the right to secession. It kept all of the previous measures that devolved power to the republics and the rotating presidency, including checks and balances that precluded any one person or nationality from dominating the country. The result was institutionalized gridlock since all Federal institutions included representatives from the constituent republics and autonomous provinces who were used by the leaders of those entities to protect their interests against any federal encroachments. The Yugoslav economy was neither a market driven system nor a centrally planned economy, but instead of a single economy it became an association of eight mini-economies that tended to build redundant and inefficient capacities and even pursue protectionist policies towards other republics. Yugoslavia was running large deficits financed by foreign capital, partly due to increased oil prices but also because of borrowing by both the central government and the republics. By the late 1970's productivity slowed and inflation rose into double digits.<sup>816</sup> Tito died in May 1980 but at the federal level there was sufficient discipline and cohesion in the communist party to reach decisions based on majority voting. The problem was in the reliance on the governments of the republics and autonomous provinces to carry out the policies if they were counter to the interests of a republic. A source of friction was the redistributive process that greatly favored Serbia and penalized Slovenia and Croatia which together provided over half the federal budget. Although Serbia contributed twenty nine percent of the budget it received two thirds of federal expenditures because it was the administrative center for Yugoslavia. Slovenia and Croatia viewed the system as inequitable, not just based on contributions, but also because the expenditures did not go to develop less advanced republics but to Serbia. Economic reform became an issue between the republics since reforms tended to advance the interests of Slovenia and Croatia while opponents tended to favor state control that benefited the

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<sup>815</sup> Gow, *Legitimacy and the Military; The Yugoslav Crisis*, 24-25.

<sup>816</sup> Benson, *Yugoslavia: A Concise History*, 128-131. See Also; Bennett, *Yugoslavia's Bloody Collapse*, 74-75

administrative center of Serbia.<sup>817</sup> Attempts to address economic problems resulted in alternating cycles of austerity measures followed by strikes and then accommodation, including the ouster of the Prime Minister in 1988.<sup>818</sup>

The granting of autonomy and equal representation to Vojvodina and Kosovo and resulting loss of control over those provinces angered Serb nationalists. Proponents of 'Greater Serbia' fanned the embers of nationalism and anti-Albanian racism in the media. This was particularly true for those Serbs who wanted to regain control over Kosovo.<sup>819</sup> In April, 1987, Milošević spoke to a crowd of Serb demonstrators being beaten with batons by local (ethnic Albanian) police, telling them that "No one should dare to beat you". He instantly became the Serb nationalist hero. Milošević used Serb nationalism to generate political backing to remove his friend and mentor Ivan Stambolic as the Serbian President by December 1987. Milošević consolidated his control of Serbia and no one in the federal government made any move to oppose him because they thought he could be controlled, and that what he was doing was to oppose Albanian secessionists.<sup>820</sup>

Significant events were happening in Slovenia. After Tito the Communist Party of Slovenia allowed a liberalization of all aspects of society. Although the most prosperous and developed republic in Yugoslavia, there was long term discontent with the structure of the federal state and Slovenia's place in it. Slovenian nationalism was allowed to develop and was used by the Communist Party of Slovenia to advance their vision of Yugoslavia with a more autonomous Slovenian republic. A series of articles in the Slovene journal *Nova Revija* in early 1987 regarding Slovenia within the federal structure of Yugoslavia examined economic issues, communist party rule, and the role of the military.<sup>821</sup> The YPA was not happy with the development of Slovene nationalism and the articles in *Nova Revija*. The Minister of Defense, Admiral Mamula, was concerned by what he viewed as an attempt to create a new concept of

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<sup>817</sup> Ibid., 103-106

<sup>818</sup> Ibid., 132-149. See Also; *Yugoslavia a Country Study*, ed. Glenn E. Curtis, 180-183.

<sup>819</sup> Bennett, *Yugoslavia's Bloody Collapse*, 81-82, 91-92.

<sup>820</sup> Laura Silber and Allan Little, *Yugoslavia; Death of a Nation* (New York: Penguin Books, 1996), 37-47.

<sup>821</sup> Bennett, *Yugoslavia's Bloody Collapse*, 101-104. See Also; Silber and Little, *Yugoslavia; Death of a Nation*, 48-49. See Also; Benson, *Yugoslavia: A Concise History*, 150.

defense with armies in each of the republics taking a primary role over that of the YPA.<sup>822</sup> It was a reasonable concern given the Slovene view that military expenditures were excessive and that they paid far more than their fair share towards a military dominated by Serbs. The Slovene Socialist Youth Alliance Journal *Mladina* became known for its harsh criticism of the Yugoslav military as well as support for Albanians in Kosovo; both of which created hostility in the military and in Serbia.<sup>823</sup> In 1988 *Mladina* published an article attacking Admiral Mamula as a ‘merchant of death’ for the sale of arms to Ethiopia as well as for personal corruption in using conscript troops to build a villa on the coast of Croatia. The new Minister of Defense, General Veljko Kadijević, attacked the Slovenian leadership and declared that the YPA would act to defend itself in the future. The opportunity for revenge against *Mladina* came quickly. A Yugoslav Army NCO passed a secret document on preparations for martial law to Janez Janša a journalist at *Mladina* known for his reporting on the YPA. Janša also obtained a copy of the March 1988 session of the Central Committee Party Presidium in which the Military Council had tried to get authorization for a purge. *Mladina* published an article on 13 May that caused an uproar as it revealed the YPA’s plans for mass arrests in Slovenia. Janša was arrested and turned over to the YPA along with the NCO and two other *Mladina* journalists to face a military trial for possession of state secrets. The military insisted on holding the trial of the ‘Ljubljana Four’ in the military command language of Serbo-Croatian rather than Slovenian; a slap in the face for the Slovenes. The public reaction in Slovenia to the trial was intense and overwhelmingly in favor of the defendants who were viewed as victims of the Serb dominated military seeking revenge. Although found guilty the defendants had light sentences and they served them in a manner resembling loose house arrest staying in prison mostly at night. The effect of the trial was extremely significant in that it opened a gulf between Slovenia and the Army which was seen as Serb dominated and supportive of only Serb interests. It also unified the opposition in Slovenia and pushed the Slovene leadership closer to the nationalists and dissidents.

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<sup>822</sup> Silber and Little, *Yugoslavia; Death of a Nation*, 49.

<sup>823</sup> Lenard Cohen, *Broken Bonds; The Disintegration of Yugoslavia* (Boulder, CO.: Westview Press, 1993), 59.

*Mladina* continued its criticism of military activities in Kosovo.<sup>824</sup> There was also an important development during one of Janez Janša's absences from prison in 1989 when he attended the founding meeting of the Slovene Democratic Alliance; a non-communist political party. At this meeting Janša proposed that each republic should have a 'parallel army' created from the Territorial Defense Units that already existed in each republic in addition to the YPA. "...Few observers would have believed that such an idea might one day actually lead to full scale armed conflict between the JNA and local armed forces in Slovenia."<sup>825</sup>

Milošević was moving to centralize power not only in Serbia but also over Vojvodina, Montenegro, and Kosovo. Before his move on Kosovo the Federal Party leadership tried to stop Milošević, but found that they could not remove him because he remained the head of the Serbian Communist Party. Milošević was able to use the federal structure as needed to promote centralization but at the same time used the rules that devolved power to the republics to circumvent any federal attempt to stop him. Milošević's takeover of Kosovo was not quick or easy. A key event was a rally held in Slovenia in support of Kosovar miners and against Milošević. Slovene President Kučan realized that if Milošević succeeded in controlling Kosovo along with Vojvodina, Montenegro, and Serbia that he would control half the votes in the Presidency. Kučan and the Slovene Communist Party leadership took part in the rally siding with the dissidents in support of the Kosovar miners and expressing opposition to the Serbian policy of repression in Kosovo. The rally was broadcast in Serbia and a massive and hostile crowd gathered in Belgrade forcing the Federal Parliament to declare a state-of-emergency in Kosovo (over Kučan's objections) to allow deployment of the YPA and Serbian police. Under the 'protection' of the YPA the Kosovo Assembly passed the measure to subordinate itself to Serbia on 23 March 1989.

On 28 June 1989, the 600<sup>th</sup> anniversary of the Battle of Kosovo Polje, Milošević addressed a huge crowd of Serbs at Gazimestan Kosovo. The battle is a key event in Serbian nationalist history but it was his comments on the future that marked the event as significant. When Milošević's said that: "Six

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<sup>824</sup> Silber and Little, *Yugoslavia; Death of a Nation*, 49-57. See Also; Bennett, *Yugoslavia's Bloody Collapse*, 104-105. See Also; Benson, *Yugoslavia: A Concise History*, 151.

<sup>825</sup> Cohen, *Broken Bonds; The Disintegration of Yugoslavia*, 86-87.

*centuries later, again we are in battles and quarrels; they are not armed battles, though such things should not be excluded yet*” it was seen as a threat by some of the other republics, particularly Slovenia.<sup>826</sup>

The Slovenes found themselves under attack in all Serb media and under an economic boycott by Serbia.<sup>827</sup> The Slovenes decided that if Serbia could change its constitution to further its interests Slovenia would as well. The Slovene Assembly passed a number of amendments to its own constitution one of which was the right to unilaterally secede (hearkening back to the 1946 Yugoslav constitution). Another limited the right to declare martial law or a state-of-emergency exclusively to the Slovene Assembly. There was also a claim to the right to allocate the resources of the republic as well as to selectively implement Federal law (nullification). Although the Federal Presidency condemned the amendments as unconstitutional the Slovenian Assembly was not intimidated and moved to legalize opposition parties in November 1989. In December 1989 the Croatian Assembly also legalized opposition parties. The move to party pluralism spread throughout Yugoslavia.<sup>828</sup>

The next step in the disintegration of Yugoslavia occurred during the Fourteenth Party Congress in January 1990. The Slovene leadership had developed a number of proposals to reform the League of Communists. The Slovene view was that the League of Communists could become a loose association of parties that would maintain the autonomy of the party in each republic. Milošević wanted to recentralize the federal party and would not compromise. All of the Slovenian proposals were defeated. The Slovene delegation then walked out of the congress and the Croatian delegation declared it would not participate without the Slovenes. The Fourteenth Party Congress went into a recess and never reconvened; the League of Communists of Yugoslavia had disintegrated.<sup>829</sup>

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<sup>826</sup> Silber and Little, *Yugoslavia; Death of a Nation*, 58-72. See Also; Benson, *Yugoslavia: A Concise History*, 151-153.

<sup>827</sup> Bennett, *Yugoslavia's Bloody Collapse*, 106-107. Cohen, *Broken Bonds; The Disintegration of Yugoslavia*, 65.

<sup>828</sup> Ibid., 109. See Also; Silber and Little, *Yugoslavia; Death of a Nation*, 73-77. See Also; Benson, *Yugoslavia: A Concise History*, 154. See Also; Cohen, *Broken Bonds; The Disintegration of Yugoslavia*, 62-63, 83. See Also; Audrey Budding, "Nation/People/Republic: Self Determination in Socialist Yugoslavia" in *State Collapse in South-Eastern Europe: New Perspectives on Yugoslavia's Disintegration*, eds., Lenard J. Cohen and Jasna Dragovic-Soso (West Lafayette, IN.: Purdue University Press, 2008), 109.

<sup>829</sup> Silber and Little, *Yugoslavia; Death of a Nation*, 79-81. See Also; Bennett, *Yugoslavia's Bloody Collapse*, 110-111. See Also; Benson, *Yugoslavia: A Concise History*, 154. See Also; Cohen, *Broken Bonds; The Disintegration of Yugoslavia*, 84-95.

The last Prime Minister of Yugoslavia, Ante Marković, assumed office in March 1989. Marković was able to make substantial progress in addressing Yugoslavia's economic problems. Although he reduced the federal bureaucracy and pushed forward a package of reforms that cut taxes and the federal budget while limiting borrowing and promoting investment, Marković was frustrated by the failure of some republics to follow reforms. In December 1989 Marković pushed new reforms as urgent measures requiring only a two-thirds approval rather than unanimous consent by the republics. The new reforms devalued the Yugoslav currency and pegged it to the German Mark making it convertible. Marković got measures passed for wages to be frozen and prices to be liberalized as well as ending government subsidies to unprofitable enterprises. These reforms were very successful and within just a few months inflation dropped from two thousand percent to under ten percent and Yugoslavia's foreign currency reserves doubled by the end of February 1990. Ante Marković became quite popular and had strong support from the federal League of Communists, the Federal Assembly, the YPA and Croatia. Yugoslavia also gained international support as Marković's reforms and moves toward a market economy took effect. Marković's success and popularity mitigated some opposition but the republics still had considerable power. When the League of Communists disintegrated Marković declared that the federal government would continue to govern without the LCY and would eventually hold multiparty elections. Slovenia and Croatia moved forward with their own multiparty elections in April, other republics held elections later in the year the last being in Serbia. Milošević authorized a large increase in wages and pensions to hold onto power. The money was from an illegal loan for 18 billion dinars (currency unit) from Serbia's central bank to the Serbian government. This act sabotaged Marković's reforms and inflation began to rise as the economy slowed. Marković tried to keep Yugoslavia together but ended up resigning in December 1991.<sup>830</sup>

The opposition party coalitions that won the elections in Slovenia and Croatia in April 1990 were nationalist yet their positions on the futures of their republics were not set on independence; most favored

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<sup>830</sup> Bennett, *Yugoslavia's Bloody Collapse*, 116-121. See Also; Cohen, *Broken Bonds; The Disintegration of Yugoslavia*, 66-73. See Also; *Yugoslavia a Country Study*, ed. Glenn E. Curtis, 183-184.

confederation. The elections entrenched opposing views of Yugoslavia, confederation vs. centralization, both of them springing from nationalist roots, in the governments of Slovenia, Croatia, and Serbia.<sup>831</sup>

The new Slovene government asserted its autonomy. It stopped sending money to the Federal Fund for Undeveloped Regions. The Slovenian Assembly adopted a ‘Declaration on the Sovereignty of the State of the Republic of Slovenia’ which reiterated its right to self determination and also proclaimed Slovene law to be superior to federal law within the republic, as well as proclaiming that the Slovene government should have authority over the YPA units stationed within Slovenia. The new Slovene government also selected Janez Janša as its new Defense Minister despite (or because) of his being loathed by the YPA as a constant critic and most famous of the “Ljubljana Four”. Janša quickly provoked the YPA by announcing his desire to end Slovenian soldiers being commanded by Serb officers, that Slovenia was contributing four times more to funding for the YPA budget than it should, and that he thought he could very quickly organize a Slovene Army to defend Slovenia. The Slovene Assembly then requested the Federal Assembly to modify the law on military service to permit soldiers to perform their service within their own republic.<sup>832</sup> These moves disturbed the YPA leadership.

The army was deeply troubled by the development of multi-party pluralism, the disintegration of the LCY, and the victory of nationalist opposition parties in Croatia and Slovenia.<sup>833</sup> The dissolution of the LYC reduced the YPA’s constitutional mandate and party influence. The YPA found its focus turned to combating what it saw as internal threats.<sup>834</sup> For the Serbs that dominated the officer corps any move that threatened the unity of the state threatened their position and a confederal arrangement with separate

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<sup>831</sup> Silber and Little, *Yugoslavia; Death of a Nation*, 82-88. See Also; Cohen, *Broken Bonds; The Disintegration of Yugoslavia*, 88-102. Bennett, *Yugoslavia’s Bloody Collapse*, 123-130.

<sup>832</sup> “Throughout the history of the Yugoslav communist regime, the military establishment of the Yugoslav People’s Army (JNA) had viewed itself as a principal force ensuring the country’s cohesion and territorial integrity. That sentiment intensified with Tito’s death in 1980 and was reinforced by the growing ethnic and regional divisions that emerged over the next decade within the political elite. Under the 1974 constitution, the military was mandated to utilize “armed struggle and other forms of self-defense” and to protect the country and its system of “socialist self-management.” The constitution further provided that any military action would be a “unified” operation and that the high command “shall ensure the unity and indivisibility of armed struggle.” In the mindset of the military elite, this constitutional mandate implied a broad peacetime mission to defend the regime against both foreign and domestic “enemies of socialism” and included the military’s vigorous opposition to the notion of competitive party pluralism.” Cohen, *Broken Bonds; The Disintegration of Yugoslavia*, 118-120.

<sup>833</sup> Ibid., 85.

<sup>834</sup> Ibid., 183.



armies subordinate to each of the various republics would be a serious blow to their professional future. Furthermore, a division of the Serb population into minority enclaves in various republics was a distasteful idea. This put General Kadijević in a predicament. Without the LCY and a unified central government the YPA and the defense industry were threatened by Slovenian and Croatian moves to make Yugoslavia a confederation with potentially separate armies. The YPA budget depended on contributions from Slovenia and Croatia but those governments had indicated they were not going to support the army to the same extent as previously and wanted to reform the YPA. General Kadijević personally disliked Milošević and did not support his use of Serb nationalism. Milošević and the Serbs however, wanted a centralized federal Yugoslavia as did General Kadijević who ended up supporting Milošević because for him there was no other option.<sup>835</sup>

The military's next step was to try and disarm the Territorial Defense Units in Slovenia and Croatia. In May 1990, soon after the new governments assumed power in Croatia and Slovenia the YPA issued orders to transfer the Territorial Defense Units' weapons to YPA controlled installations. The Territorial Defense Units in Croatia were disarmed completely. In Slovenia President Kučan was made aware of the arms transfers by phone calls from a number of mayors. Kučan immediately ordered a halt to the operation but by then almost seventy percent of the weapons had been taken. Janša the new Slovene Defense Minister then organized an arms smuggling operation to equip the seventy thousand soldiers in the Slovene Territorial Defense including anti-tank weapons which were shown on Slovenian TV; sending a message that it was arming itself.<sup>836</sup>

After the YPA confiscated the Croatian TDF's weapons the only armed security force in Croatia was its police force. The Croatian government began to expel Serb police from the force while simultaneously launching a massive recruiting drive for young Croatian men. In addition to recruits for the regular police force there were up to fifty thousand 'police reservists' recruited to provide a basis for a

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<sup>835</sup> Bennett, *Yugoslavia's Bloody Collapse*, 132-134.

<sup>836</sup> Silber and Little, *Yugoslavia; Death of a Nation*, 105-107, 118. Note: The order to disarm was given after the rotation of the Federal President from a Slovene to a Serb, but the collective Presidency did not authorize the action. See Also; Cohen, *Broken Bonds; The Disintegration of Yugoslavia*, 184.

Croatian armed force. The new Croatian Defense Minister, Martin Špegelj set up a massive weapon smuggling operation bringing in arms by sea and land. He also created cells of loyal Croatian officers within the YPA garrisons in Croatia as well as arming Croatian village militias throughout the country enabling citizens to defend their own towns.<sup>837</sup> So although the YPA had attempted to disarm both Slovenia and Croatia its efforts were unsuccessful.

By December 1990, General Kadijević had produced a secret report outlining how Croatia was smuggling arms and building a paramilitary force. The Federal Presidency rejected a proposal to allow the YPA to forcibly disarm the paramilitaries but called for all ‘illegal paramilitaries’ to voluntarily disarm. Croatia stated the only ‘illegal paramilitaries’ were the Serb militias in the Krajina region and did not disarm. Both the YPA and the Croatian forces were placed on alert. Although the YPA was prepared to disarm the forces in Croatia and Slovenia and impose martial law, it still considered itself subordinate to the Federal Presidency and needed their approval to act. Another emergency meeting of the Federal Presidency was held on 25 January but only the four Milošević controlled republics voted for YPA action. The Croatian leader then seemed to back down by agreeing to disarm and dissolve Croatia’s reserve police force and allow prosecution of some individuals for smuggling if the YPA stepped down from its combat alert. The agreement prevented an armed clash in January 1991, but Croatia still did not disband its paramilitary force.<sup>838</sup>

From January to April 1991 there were a series of expanded Federal Presidency sessions designed to resolve the differing views of how Yugoslavia should be organized. The talks failed partly due to intransigence by the Croats, Serbs, and Slovenes but also because events made compromise difficult.<sup>839</sup> A key event was the authorization by the Federal Presidency (persuaded by Borisav Jović, a Serb loyal to Milošević) for the YPA to secure vital buildings in Belgrade during an opposition demonstration. Two demonstrators were killed and ninety wounded, but more importantly the federal army had intervened in an internal political dispute and had been used to suppress opposition to Milošević. The leaders of the

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<sup>837</sup> Ibid., 107-108. See Also; Cohen, *Broken Bonds; The Disintegration of Yugoslavia*, 128.

<sup>838</sup> Ibid., 109-117. See Also; Cohen, *Broken Bonds; The Disintegration of Yugoslavia*, 189-191.

<sup>839</sup> Cohen, *Broken Bonds; The Disintegration of Yugoslavia*, 195-201.

other republics as well as the Serb population saw that Milošević would use force to maintain power and that he appeared to have the support of the army.<sup>840</sup> Jović the head of the Federal Presidency called several emergency sessions of the Federal Presidency but failed to get authorization for a state-of-emergency and declaration of martial law to allow the YPA to disarm the Slovenian and Croatian ‘paramilitary’ forces. Jović then resigned on television and blamed the Presidency for allowing unconstitutional moves by Croatia and Slovenia to openly form their own armies.

On 16 March, Milošević made an announcement on television that Serbia would no longer recognize the authority of the Federal Presidency and government and was mobilizing police reserve units and militia with the intention to form his own armed forces. He declared that “Yugoslavia is finished” effectively seceding from the country; doing what the Serbs had been accusing the Slovenes and Croats of planning to do. Prime Minister Ante Marković sided with the remaining members of the Presidency calling on the YPA not to use force and cause a civil war and the YPA agreed it would not intervene. Milošević’s attempt to push the army into launching a military takeover failed. Although General Kadijević had threatened to act he could not make the decision alone. In the absence of a clear and constitutional authorization to act the YPA would not move. Milošević’s miscalculation pushed him to reverse course and send Jović back to the Federal Presidency on 20 March.<sup>841</sup>

On the other hand his declaration that “Yugoslavia is finished” was correct. There were several confrontations between Croatian forces and Krajina Serbs in which Jović persuaded the Presidency to authorize YPA intervention to separate the combatants. When Jović’s turn as head of the rotating Federal Presidency ended on 15 May a Croatian representative should have automatically taken office but the Serb controlled portion of the Presidency objected. Despite negotiations led by Prime Minister Ante

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<sup>840</sup> Silber and Little, *Yugoslavia; Death of a Nation*, 119-122. See Also; Cohen, *Broken Bonds; The Disintegration of Yugoslavia*, 201. See Also; Bennett, *Yugoslavia’s Bloody Collapse*, 145.

<sup>841</sup> Ibid., 124-131. See Also; Cohen, *Broken Bonds; The Disintegration of Yugoslavia*, 201-204. See Also; Bennett, *Yugoslavia’s Bloody Collapse*, 145-146.

Marković the impasse was not resolved and no one was selected effectively ending the Federal Presidency.<sup>842</sup>

Slovenia meanwhile had continued making preparations for independence. Slovenia had stopped sending recruits to the YPA but instead began reinforcing its own units. In May Slovene recruits began reporting for duty to a Slovene controlled barracks for basic training rather than to YPA facilities. It stopped sending customs and import revenues to the federal government. Slovenia created and staffed agencies to take over federal functions in the republic including air traffic control, borders and ports. On 15 June, 1991, Slovenian and Croatian leaders met in Ljubljana to coordinate a simultaneous declaration of independence by both republics on 26 June, 1991.<sup>843</sup> The leadership in Slovenia did not expect that the declaration would mean immediate independence since they did not believe any other state would recognize them. What they envisioned was that it would initiate a process of disassociation during which a negotiated separation could take place (given Milošević's assurance to Kučan that he would not fight to keep Slovenia in Yugoslavia) and they had developed proposals to deal with issues of debt and division of military forces.<sup>844</sup> The Croatians and Slovenes knew that there was no international support for breaking up Yugoslavia based on meetings with the EC, OSCE, and U.S. What the Slovenes and Croatians did not know was that U.S. policy included tacit support for a military crackdown to keep the country unified.<sup>845</sup> When both republics declared independence on 26 June, the Slovenes took over all border, port, and customs posts forcing the federal officials out and replacing all Yugoslav signage and flags with Slovenian markings and symbols. They also began erecting border posts along the border with Croatia, something the Federal Government declared would be illegal. Prime Minister Ante Marković called a meeting of the Federal Government which issued a decree of enforcement asking the Defense Minister and Interior Minister to deploy units "with the aim of safeguarding the state frontiers at the border

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<sup>842</sup> Ibid., 136-142. See Also; Bennett, *Yugoslavia's Bloody Collapse*, 150-152. See Also; Cohen, *Broken Bonds; The Disintegration of Yugoslavia*, 211-212.

<sup>843</sup> Cohen, *Broken Bonds; The Disintegration of Yugoslavia*, 210-211, 214. See Also; Silber and Little, *Yugoslavia; Death of a Nation*, 149-150, 154.

<sup>844</sup> Bennett, *Yugoslavia's Bloody Collapse*, 143-144

<sup>845</sup> Cohen, *Broken Bonds; The Disintegration of Yugoslavia*, 215-218. See Also; Bennett, *Yugoslavia's Bloody Collapse*, 154-155. See Also; Silber and Little, *Yugoslavia; Death of a Nation*, 150-152.

crossings.” Although Marković claimed the intention was simply to recover the federal posts and restore federal control over the border, the YPA viewed it as constitutional authority to move against Slovenia. The YPA planed to retake the Ljubljana airport, thirty five border crossings and a seaport in a limited military policing operation. They also maintained communication with the Slovene government and told them what they were planning to do; they never expected to face armed opposition. Kučan issued an order to the Slovene Territorial Defense units to defend Slovenia against the YPA.<sup>846</sup> The YPA garrisons in Slovenia were surrounded and forced to surrender after having their electricity, telephones, and water cutoff. The conscript YPA units moving into the mountainous and restricted terrain of Slovenia were repeatedly ambushed by better trained and motivated Slovene Territorial Defense units. The conflict was over in 10 days resulting in a lopsided victory for the Slovene forces that surprised both the international community and the YPA. The casualties on both sides were minimal. The important statistic was that over 3,200 YPA soldiers were forced to surrender, which was a humiliation for the YPA. The European Community negotiated a truce on 7 July called the Brioni Accord, and the YPA decided to pull out of Slovenia completely soon after that.<sup>847</sup> Although more significant and vicious bloodshed was yet to come as Yugoslavia completely disintegrated, the successful defense by the Slovenian Territorial Defense units against the YPA is the end of this narrative. If the YPA had been able to reassert control over Slovenia, defeat and disarm its forces, there was a possibility of the army forcibly holding the country together and breaking the political deadlock; most likely with a recentralized and Serb dominated government supported by the international community.

“The sequence of events remains important since the war for Slovenia, if successfully prosecuted by the JNA (YPA), might have halted further secession from other republics. If the Slovenes had failed, then the entire modern history of Yugoslavia would look fundamentally different”<sup>848</sup>

Instead, Slovenia had won its independence and the Amalgamated Security Community of Yugoslavia as it had been created at the end of World War II formally ended.

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<sup>846</sup> Silber and Little, *Yugoslavia; Death of a Nation*, 152-158.

<sup>847</sup> Cohen, *Broken Bonds; The Disintegration of Yugoslavia*, 224-225. See Also; Bennett, *Yugoslavia's Bloody Collapse*, 156-160. See Also; Silber and Little, *Yugoslavia; Death of a Nation*, 158-165. See Also; Robert Niebuhr, “War in Slovenia: Doctrine and Defeat.” *Journal of Slavic Military Studies* 19, no. 3 (2006): 506-507

<sup>848</sup> Robert Niebuhr, “War in Slovenia: Doctrine and Defeat.” *Journal of Slavic Military Studies* 19, no. 3 (2006): 491

#### **4-5. (b). The Government**

##### **4-5. (b). 1. The 1974 Constitution.**

The 1974 Constitution remained in force through the breakup of the country. The State Presidency was made the supreme command for the armed forces and in charge of foreign policy. The Federal Assembly was restructured into a Federal Chamber and a Chamber of Republics and Provinces. The 1974 Constitution expanded representation from the republics and provinces to all federal institutions and policy forums from the State Presidency to sports and cultural bodies. The key executive agency of the government was the Federal Executive Council which conducted the day to day operation of the government. It also had the power to set the agenda for the Federal Assembly and to propose legislation. It consisted of the Prime Minister and two deputy prime ministers as well as the secretaries of the major departments in the government. The FEC reviewed and debated all federal issues within five standing committees which included members from the various republics executive councils which made the FEC the central agency for political debate and compromise. As the republics pushed their interests to the point of political gridlock, the FEC was able to use a constitutional procedure that allowed it to promulgate temporary measures having the force of legislation that could not be blocked (e.g. portions of Ante Marković's economic reforms). The Tenth Party Congress in 1974 also followed the pattern of equal representation by confirming the right to parity of representation for the republics and autonomous provinces within the LCY's Federal organizations effectively making the LCY a federation of parties. An extremely important decision was that in the restored Central Committee of the LCY the Yugoslav Peoples Army was given 15 seats, the same number allocated to the autonomous provinces. This made the YPA the ninth corporate member of the federation of parties that made up the LCY and gave the YPA a unique formal political role in the structure of Yugoslavia. After 1974 the LCY only had the rump

federal element of the State Security Service (SDB) and the YPA as institutions that would respond to party directives since the party itself had devolved into a federation.<sup>849</sup>

**4-5. (b). 2. Military as part of the political structure.** In Communist systems there is a link between the party and the military usually created to make sure the armed forces remain loyal, but it also provides a means for the military to have a legitimate role by becoming ‘the party in uniform’. The YPA had a primary role in domestic politics.<sup>850</sup> This participation in domestic politics was not praetorian in nature, the YPA did not intervene in politics to replace the political leadership or even become involved in the process of leadership selection. The YPA was a professional, expert, and corporate institution that was willing to participate in politics according to its *assigned* and *constitutional* role. Tito stated it was a responsibility for the YPA to participate in political affairs.<sup>851</sup> The YPA’s participation in domestic politics began in 1971 when it played a key background role in persuading Tito to crackdown on Croatian nationalism.<sup>852</sup> The 1974 Constitution granted the military a specific constitutional role to defend both the country and the system of “socialist self-management.” To the YPA leadership this constitutional role gave it a broad mandate to defend the regime not only against foreign threats but also against domestic political enemies.<sup>853</sup> James Gow writing in 1988 correctly predicted YPA behavior borne out during the disintegration of the country. He said that:

“The army will only act constitutionally. This means that it will only usurp the political process if no civil element remains to protect the Constitution. So long as some central civil authority remains, the army will, constitutionally, be the coercively instrumental partner in an alliance.”<sup>854</sup>

This explains the actions of the YPA in that while it clearly identified the threats to the unity of the state and was prepared to act, it did not act time and time again because it did not have constitutional

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<sup>849</sup> Benson, *Yugoslavia: A Concise History*, 126-127. See Also; *Yugoslavia a Country Study*, ed. Glenn E. Curtis, 176-179. See Also; Bennett, *Yugoslavia’s Bloody Collapse*, 74, 184-189. See Also; Gow, *Legitimacy and the Military; The Yugoslav Crisis*, 59-60.

<sup>850</sup> James Gow, “Legitimacy and the Military” in *Yugoslavia’s Security Dilemmas; Armed Forces, National Defense and Foreign Policy*, eds., Marko Milivojevic, John B. Allcock and Pierre Maurer (New York: St. Martin’s Press, 1988), 67, 60.

<sup>851</sup> Gow, *Legitimacy and the Military; The Yugoslav Crisis*, 59.

<sup>852</sup> Ibid., 58.

<sup>853</sup> Cohen, *Broken Bonds; The Disintegration of Yugoslavia*, 85.

<sup>854</sup> Gow, “Legitimacy and the Military,” 72.

authorization to do so. It finally only acted against Slovenia after receiving what it interpreted as authorization from a constitutional political authority.

After 1974 the YPA was not only the ‘party in uniform’ it was a significant political actor. Army representation on the Central Committee of the LCY was larger than its allocation of 15 delegates since five representatives from other republics were from the army making the total army presence twenty delegates which was twelve percent of the 166 member body. Also the Defense Minister and the Army-Party Organization Secretary, both YPA Generals, were members of the Presidium of the Central Committee.<sup>855</sup> LYC control over the military on the other hand was minimal but the large number of military members of the LCY made the YPA a significant constituency pursuing their interests within the party. The Army LCY committee in effect formed a military branch of the party, and the President of the Army LCY committee usually became the Defense Minister.<sup>856</sup> The YPA became an important political actor because its focus and loyalty was to Yugoslavia not to any republic. After Tito’s death and the weakening of the federal government and party the YPA was the only unitary and centralist pan-Yugoslav institution.<sup>857</sup> This gave it a unique and central political role in defending the regime.<sup>858</sup>

**4-5. (b). 3. Military and Economy.** Yugoslavia had a well developed defense industry that was controlled by the YPA. The Defense Ministry decided what part of the defense budget would be allocated to the defense industry (not the civilian government) and determined development and production of new weapons. All contracts required prior approval from the YPA and it made all decisions on exports. This was no small matter because Yugoslavia was one of the world's 10 leading arms producers, and the defense industry was one of the main sources of hard currency. Yugoslavia exported about 30 percent of

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<sup>855</sup> Gow, *Legitimacy and the Military; The Yugoslav Crisis*, 59-60.

<sup>856</sup> *Yugoslavia a Country Study*, ed. Glenn E. Curtis, 241.

<sup>857</sup> Bennett, *Yugoslavia's Bloody Collapse*, 75.

<sup>858</sup> “However, in effect the YPA was taking a leading role within the LCY. This was evident as the army’s domestic role increased. Tito asserted that ‘the party, not the army was the guardian of the revolution’; however, the army was ‘a part of the self-management system *and the party*.’ The party was chief guardian, but the army was a part of it. That the league was composed of parts is important: it was now a coalition of eight leagues – nine, if, as Tito implied, the army was included; the league was no longer one entity. Since the split with the Soviet Union, Yugoslavia’s communist party had been looking for a real role. Along the way, devolution had produced a situation in which there had come to be eight parties in search of a role. This created a central power vacuum. The army filled that vacuum.” Gow, *Legitimacy and the Military; The Yugoslav Crisis*, 25.



its production and earned \$20 billion from arms exports in the 1980's which was more than from tourism and was roughly ten percent of all of Yugoslavia's exports. The span of economic control of the defense industry was also quite large. The defense industry, the Association and Industry of Armament and Ministry Equipment (ZINVOJ), had 56 specialized factories with 8000 scientists and 72 000 workers. There were also 1000 subcontractors with between 100,000 to 200,000 workers. The ZINVOJ produced 400 different weapons and items of military equipment. In 1990, the YPA got three-fourths of its equipment from the ZINVOJ, and about 90 percent of all weapons and equipment were designed domestically. Defense factories were spread out in such a fashion among the republics as to make them dependent on parts from other factories in different republics. This interdependence not only made sure the YPA maintained overall control of the process but it reduced the possibility that any republic could be self sufficient in defense production. The exception was that the YPA built a corresponding plant in Serbia or Montenegro for any defense factory built in another republic.<sup>859</sup> On the other hand Yugoslavia tended to keep large stockpiles of older equipment it had received from a variety of sources while it sold new equipment abroad. "Using equipment from the Soviet Union, the U.S., and other countries, the army had serious logistical problems, including irregular ammunition supply and maintenance of many nonstandard weapons systems."<sup>860</sup>

**4-5. (b). 4. Legitimacy and the Military.** According to James Gow the relationship between Military Legitimacy and Civil Legitimacy is an interaction such that weak Civil Legitimacy is a precondition for a significant and successful political role for the military. However, the military can only act politically if it has its own legitimacy.<sup>861</sup> The foundation for this legitimate participation in domestic politics had several aspects. First, the YPA was a creature of the LCY; it was created by the Communist Party to fight for national liberation and revolution. The YPA and LCY had an intertwined relationship based on this history; a relationship that subordinated the army to the party but also included the army in

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<sup>859</sup> Milan Vego, "The New Yugoslav Defence Industry - Part 1." *Jane's Intelligence Review*, 01 November 1993, 502. See Also; Miodrag Ivanovic, "The Fate of the Yugoslav Military Industry." *Jane's Intelligence Review*, 01 April 1993, 164.

<sup>860</sup> *Yugoslavia a Country Study*, ed. Glenn E. Curtis, 244-246.

<sup>861</sup> Gow, *Legitimacy and the Military; The Yugoslav Crisis*, 31.

the party.<sup>862</sup> Second, the YPA had been created with a pan-Yugoslav character.<sup>863</sup> The Party and the YPA were ‘Yugoslav’ rather than having a basis in one of the constituent nationalities.<sup>864</sup> The YPA remained outside the reforms associated with ‘self-management’ and devolution. As the YPA transitioned from a guerilla force into a conventional army focused on military technical issues it was separated from society and remained a hierarchical, centralized, cohesive and monolithic institution with a supra-national pan-Yugoslav character. Finally, in 1968 the adoption of the All-People’s Defense Concept initiated an ‘opening to society’ process in which contact between the YPA and the people was encouraged. This process moved the YPA into the political arena and served as a factor in its political legitimacy.<sup>865</sup>

“In 1971, as the coalition seemed to be falling apart, the army joined course again with the revolution. The revolution’s legitimacy was weak; the YPA provided the necessary backbone to redress that frailty.” “The Constitutional amendments of 1971, fixed in the 1974 Constitution, suggest that not only was the YPA dependent on the federal state, but the Yugoslav Federation was dependent on its ninth partner- the military.”<sup>866</sup>

**4-5. (b). 5. Government Structure and Ethnic Identity.** National identity was a key concern for founders of Yugoslavia who had witnessed the bloody inter-ethnic fighting in Yugoslavia during World War II. They also wanted to prevent any single nationality from dominating the new Yugoslavia as the Serbs had dominated the previous one. The communists believed that through the ‘National Liberation Struggle’ Yugoslavia’s people were bound by a revolutionary pan-Yugoslav patriotism; a communist ‘Yugoslavism’ opposed to parochial nationalism but connected to the worldwide socialist movement. The communists believed that they had designed a system and policies that would eventually get rid of Yugoslavia’s ethnic problems.<sup>867</sup> There is another twist to the issue of identity and government in Yugoslavia. Individual nationality was a matter of *choice* not birth; i.e. nationality was subjective.

<sup>862</sup> Gow, "Legitimacy and the Military," 67-68.

<sup>863</sup> Gow, *Legitimacy and the Military; The Yugoslav Crisis*, 22.

<sup>864</sup> Benson, *Yugoslavia: A Concise History*, 75-76.

<sup>865</sup> Gow, "Legitimacy and the Military," 68.

<sup>866</sup> Ibid., 70.

<sup>867</sup> "...various regime strategies for dealing with the "national question" reflected a persistent belief that the maintenance of a single-party and federally structured state (both more or less centralized in practice depending on the particular subperiod of communist rule under consideration), together with economic change, would eventually overcome the country’s ethnic conflicts and innate fragility." Cohen, *Broken Bonds; The Disintegration of Yugoslavia*, 26.

Article 41 of the 1963 Yugoslav Constitution stated that an individual was not required to declare a nationality and was not required to even have a nationality. The problem was that Yugoslavism was seen by the state bureaucracy as being non-national and that declaring oneself to be a Yugoslav was in effect declaring no nationality and often not accepted by the bureaucracy. The dilemma was that many ‘Yugoslavs’ did consider Yugoslav as a national identity and the refusal to be recognized as such directly contradicted the constitutional right to choose (or not) their own nationality.<sup>868</sup> On the other hand, despite the possibility of choice in nationality, the various nationalities were granted, through the federal structure, a national home republic. This established a territorial nationality that became the basis for the Serbia to assert that its role was to protect Serbs wherever they lived. Territorial nationality was at odds with personal nationality and can be seen as the rational behind the increased support for the principle of self determination as the republics considered secession.<sup>869</sup>

Did government structure and policies have any impact on issues of identity? Some scholars have argued that ethnic nationalism as a primordial identity clearly triumphed over any attempts to create an identity (e.g. instrumentalist or constructivist approaches) in Yugoslavia and dismiss any findings of a Yugoslav identity or integration through mixed marriages as either faulty data or as insignificant to the final outcome in which ethno-nationalism clearly was the driving force. For them tolerance and coexistence is a myth and Yugoslavia was fated to disintegrate from the moment it was founded.<sup>870</sup> Other scholars have taken a different view. Using census data from 1961 through 1981 there was a general increase in the number of people who declared themselves to be “Yugoslav” over time except when the category of Muslim on the census allowed Muslims to change categories from Yugoslav to Muslim.<sup>871</sup>

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<sup>868</sup> Audrey Budding, "Nation, People, Republic: Self-Determination in Socialist Yugoslavia," in *State Collapse in South-Eastern Europe: New Perspectives on Yugoslavia's Disintegration*, eds., Lenard J. Cohen and Jasna Dragovic-Soso (West Lafayette, Indiana: Purdue University Press, 2008), 101.

<sup>869</sup> Ibid., 104-108.

<sup>870</sup> Andrei Simic, "Nationalism as a Folk Ideology" in *Neighbors at War: Anthropological Perspectives on Yugoslav Ethnicity*, eds., Joel Martin Halpern and David A. Kideckel (University Park, PA.: Pennsylvania State University Press, 2000), 103-115.

<sup>871</sup> "Apart from Bosnia between 1961 and 1971 and Kosovo, self-identification as a Yugoslav shows a general pattern of increase from 1961 to 1981, especially in Croatia and the Vojvodine, and in Bosnia between 1971 and 1981." "One factor that encouraged identification as a Yugoslav was the heterogeneity of nationalities within the republic or province. Contact between different nationalities is increased in heterogeneous settings leading to greater

Furthermore, they found that self identification was strongly related to people having an urban residence, participation in the communist party or community political structures, being a minority nationality or of mixed parentage, and more importantly the *young* were most likely to identify as Yugoslavs.<sup>872</sup> This would seem to indicate that the general trend of increasing numbers of people declaring themselves as “Yugoslav” would have increased given more time. Perhaps a more general rebuttal to the idea of purely primordial ethno nationalism that predetermined the failure of Yugoslavia is that most of Yugoslavia (except Slovenia) was in fact ethnically mixed and had managed to live together peacefully for quite some time. If there was inherent ethnic hatred in Yugoslavia the various groups should have self segregated, but ethnic cleansing and the creation of ethnically pure zones was a byproduct of conflict during the breakup. Prior to the breakup of Yugoslavia the people were beginning to integrate or transcend ethnic nationalities. By 1981 there were some six million people who had become related by intermarriage which indicates some degree of social integration. People had found ways to coexist peacefully. “Interethnic relations deteriorated only when the approaching war forced civilians to declare loyalties and take sides. At that point neighbors turned against neighbors.”<sup>873</sup> It was the mobilization of ethno nationalism for political purposes (primarily in Serbia) that created the conditions for ethnic conflict. Government policies had born fruit in terms of the creation of a Yugoslav identity. It is clear that increasing numbers of people considered themselves to be Yugoslav and that trend was increasing especially among the young and urban residents. On the other hand government policies that allowed territorial nationalism and a loose confederal structure set up forces that would compete with a pan-Yugoslav identity.

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social mixing and intermarriage. Bosnia and the Vojvodine were the former Yugoslavia's most nationally diverse areas, and both republics had larger than average proportions of people identifying as Yugoslavs.” Dusko Sekulic, Garth Massey, and Randy Hodson, “Who Were the Yugoslavs? Failed Sources of a Common Identity in the Former Yugoslavia,” *American Sociological Review* 59, no. 1 (1994): 84

<sup>872</sup> Ibid., 83-97.

<sup>873</sup> Edit Petrovic, “Ethnonationalism and the Dissolution of Yugoslavia” in *Neighbors at War: Anthropological Perspectives on Yugoslav Ethnicity*. eds., Joel Martin Halpern and David A. Kideckel (University Park, PA.: Pennsylvania State University Press, 2000), 167-168

#### **4-5. (b). 6. Government Structure and ASC Failure.**

Was the structure of the state then responsible for the failure of Yugoslavia as an ASC? Institutions and structures are important, and as noted previously state breakdowns are the result of the failure of the administrative functions of the state. Federal structures or devolution of power leading to increased local autonomy has been considered a method to mollify ethno nationalist ambitions in multiethnic states. Empirically there are states that have increased autonomy and devolved power from a highly centralized government and did not disintegrate (e.g. Spain). Other scholars have viewed federalism and increased autonomy as a slippery slope towards ethnic mobilization and eventual ethno nationalism and conflict leading to secessionism. Recent work however, notes that a significant inclusion of minority groups in the central government, in both the legislature and executive policy making bodies, is an important method for preventing a slide towards secession for territories with significant local autonomy.<sup>874</sup> Tito and the other founders of Yugoslavia clearly intended to use federal structures to contain ethnic nationalism and provide a stable government post-Tito. Devolution did make decision making more difficult as each republic sought to pursue its own interests and the end of one party rule also seems to have eliminated an element of central government control. However, although the demise of the LCY certainly ended the pretense of a single party and resulted in multiparty pluralism, it is clearly not a primary cause for Yugoslavia to come apart. In response the Prime Minister, FEC, and state administrative apparatus announced they would continue to govern without the LCY and did so. In fact Ante Marković was able to govern effectively for the period of time that saw his economic reforms have a significant positive effect which also resulted in Marković becoming quite popular throughout the country. The FEC and Prime Minister were able to rule through ‘temporary measures’ that were constitutional. Furthermore, the Slovenes and Croats were pushing for a new confederal Yugoslavia (in large measure to protect themselves from Milošević) not for the destruction of Yugoslavia (opposed by the international community). What then was the failure of the administrative functions of the state in

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<sup>874</sup> Graham Brown, “Federalism, Regional Autonomy and Conflict: Introduction and Overview,” *Ethnopolitics* 8, no. 1, (2009): 1-4.

Yugoslavia, or more precisely what was the source of weakness in the central government, that led to state breakdown? On the surface the weakness of the central government would appear to be the inability of the system to deal with Milošević and his manipulation of both political structures and fiscal structures. There is however, a more critical weakness that preceded Milošević's rise and not only failed to prevent Milošević from abusing the political and financial systems but enabled and aided him. The critical weakness was not the federal structure but the failure of the YPA to be a pan-Yugoslav force that could legitimately serve the function it was supposed to and preserve the regime. After Tito's death the only unitary and centralist institution was the YPA. The YPA functioned as the party in uniform and was the "ninth partner" in the coalition of parties that made up the LCY. It lent its legitimacy to the regime as the only remaining pan-Yugoslav institution. It had a constitutional mandate to preserve Yugoslavia. The failure of the YPA is that it ceased to be seen as a pan-Yugoslav institution. The YPA came to be seen as a Serb dominated institution that was interested in advancing Serb interests rather than those of Yugoslavia. It was YPA forces in Kosovo that ensured Milošević's victory there and YPA forces that suppressed the anti-Milošević opposition in Serbia. The YPA had lost its military legitimacy to act impartially to preserve the federation and its ability to prevent Milošević's power grab. The weakness of the central government can be found in the YPA and the change from an integrated ASC to a partially integrated ASC beginning in 1968 to a disintegrated ASC in 1990.

#### **4-5. (c). Defense Integration & Disintegration**

**4-5. (c). 1. 1945 to 1968.** At the end of World War II the Partizan People's Liberation Army became the Yugoslav People's Army on 1 March 1945 and demobilization began later that year. Laws passed in 1946 and 1947 changed the organization of the YPA so that it became a regular standing military with an air force, navy, and land army. The YPA was changed from a volunteer to a conscript force and the officers underwent training to turn them into a professional cadre. This reorganization was modeled on the example of the Soviet Red Army.<sup>875</sup> The YPA also used a system of recruitment and

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<sup>875</sup> Gow, *Legitimacy and the Military: The Yugoslav Crisis*, 41-42. See Also; *Yugoslavia a Country Study*, ed. Glenn E. Curtis, 231.

assignment that took recruits from one area of the country and posted them to serve in a different area. This system was designed to weaken and potentially eliminate national and regional identity by cultivating a supranational pan-Yugoslav identity; particularly for the professional soldiers.<sup>876</sup> The YPA's legitimacy was also enhanced by its role in rebuilding the country.<sup>877</sup> In addition to its military academies the army was involved in overt ideological and political education. The YPA had a political school and over ten percent of officers received additional political or social science education at other universities.<sup>878</sup> The intention of this political education was tied directly to the YPA's role as a pan-Yugoslav institution and as a symbol of Yugoslav identity.

“The result of this education, other political work within the army and, presumably, peer-group pressure, was the nurturing of a ‘brotherhood and unity’ spirit and the ‘Yugoslav’ idea. In all its activities and in its nature, the YPA attempted to be an army of all Yugoslavs. An emblem of national unity from its creation and in its continued existence, the YPA sought and, to an extent, performed a symbolic role. A consequence of the YPA's role as everybody's army in such a patchwork society as Yugoslavia's was to make the sociopolitical imperative of being representative of society peculiarly significant”<sup>879</sup>

The YPA between 1945 and 1968 was a large conventional force focused on the static defense of Yugoslavia's cities in case of invasion by the Soviets or the West. This caused Yugoslavia to allocate more of its resources to defense than anywhere else in the world. In 1948 Yugoslavia had the second largest military force in Europe with 350,000 active troops and about the same number of reserves.<sup>880</sup> By 1952 the build up of forces increased the YPA to 500,000 troops and total defense spending equaled 22

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<sup>876</sup> Anton Bebler, “The Yugoslav People's Army and the Fragmentation of a Nation,” *Military Review* 73, (August 1993): 45.

<sup>877</sup> Following the war the army was the most structured and capable organization in the country with the technical ability to begin reconstruction and so from 1946 to 1947 the YPA rebuilt 170,000 buildings, constructed dwellings to accommodate 25,000 people, and had a major part in feeding the population. The YPA also helped to reconstruct the telephone network and from 1953 to 1964 built 1900 kilometers of roads and 254 bridges. YPA medical units were used to fight diseases in the civilian population. YPA economic activity was significant in the construction, sanitation, engineering, communications and health sectors. The YPA was deeply involved in the rebuilding the Yugoslav defense industry which eventually became a major source of export income. The YPA also served as a technical school for the nation and from 1945 through 1963 trained tens of thousands of mechanics, cooks electricians, engineers, nurses, sailors, drivers, radio operators who rebuilt the country and the economy. Gow, *Legitimacy and the Military; The Yugoslav Crisis*, 51-52.

<sup>878</sup> Ibid., 51-52.

<sup>879</sup> Ibid., 52.

<sup>880</sup> John Berryman, “The Soviet Union and Yugoslavia's Defence and Foreign Policy.” in *Yugoslavia's Security Dilemmas; Armed Forces, National Defense and Foreign Policy*, eds., Marko Milivojevic, John B. Allcock and Pierre Maurer (New York: St. Martin's Press, 1988), 194.

percent of Yugoslavia's GDP. The normalization of relations with the Soviet Union led Yugoslavia to turn to the USSR for technologically advanced defense items such as aircraft and missiles, as well as to reduce the size of the YPA. By 1968 the YPA had been reduced to only 200,000 active troops and defense spending had dropped to 6 percent of GDP.<sup>881</sup>

**4-5. (c). 2. 1969 – 1989 Creation of a partially amalgamated ASC.** The Soviet invasion of Czechoslovakia in 1968 shocked the Yugoslav leadership and led to a drastic and far reaching change in defense policy and structure of the YPA that had a huge political impact as well. It clearly indicated that the USSR was a threat and that they were not prepared to resist such an attack.<sup>882</sup> It prompted a significant change in organization and tactical doctrine.<sup>883</sup> The Law on National Defense adopted in February 1969 provided the legal basis for the implementation of the new doctrine called "Total National Defense" (TND). The TND concept was in many ways similar to the nation-in-arms concept used by Switzerland, but different in that weapons were not kept by the individual and the Swiss Army was made entirely of a country wide *federal* militia.<sup>884</sup> To implement this concept two new forces were formed; a Civil Defense Force and the Territorial Defense Force (TDF). The TDF in wartime would include males between 15 and 65 years old; potentially three million troops. TDF would support the YPA defense and as a last resort revert to guerilla warfare. The Yugoslavs estimated that it would require two million enemy troops to

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<sup>881</sup> Marko Milivojevic, "The Political Role of the Yugoslav People's Army in Contemporary Yugoslavia." in *Yugoslavia's Security Dilemmas; Armed Forces, National Defense and Foreign Policy*, eds., Marko Milivojevic, John B. Allcock and Pierre Maurer (New York: St. Martin's Press, 1988), 34. See also; John Berryman, "The Soviet Union and Yugoslavia's Defence and Foreign Policy," 200.

<sup>882</sup> Robert Dean, "Civil-Military Relations in Yugoslavia, 1971-1975," *Armed Forces and Society* 3, no. 1 (1976): 24.

<sup>883</sup> "The Soviet invasion of Czechoslovakia in 1968 was the direct cause of a revolution in military organization and tactical doctrines in Yugoslavia. The principal military lesson of the brutal crushing of the Prague Spring in 1968 was that a relatively small country such as Czechoslovakia or Yugoslavia could not realistically expect to defeat a Soviet invasion force in direct battle and using static tactical doctrines, given Soviet superiority in troop numbers, and quantity and quality of equipment, and given the strategic advantage of the element of surprise that accrues to any aggressive attacking force." Marko Milivojevic, "The Political Role of the Yugoslav People's Army in Contemporary Yugoslavia." in *Yugoslavia's Security Dilemmas; Armed Forces, National Defense and Foreign Policy*. eds., Marko Milivojevic, John B. Allcock and Pierre Maurer (New York: St. Martin's Press, 1988), 34

<sup>884</sup> Pierre Maurer, "Defence and Foreign Policy: Switzerland and Yugoslavia Compared" in *Yugoslavia's Security Dilemmas; Armed Forces, National Defense and Foreign Policy*. eds., Marko Milivojevic, John B. Allcock and Pierre Maurer (New York: St. Martin's Press, 1988), 97-124



subjugate the country and that would deter any potential invader.<sup>885</sup> Normally there were about 860,000 troops being trained or doing other duties in the TDF on an annual basis. Most TDF troops were former YPA conscripts that had finished their active duty obligation. The force was very cost effective with an estimated cost for the entire TDF as approximately 1 percent of GDP annually.<sup>886</sup> Tactically the force had a number of advantages.<sup>887</sup> The creators of the TND realized however, that TDF units had to have autonomy to act on their own in a decentralized command system in order for the force to wage an effective guerrilla campaign. The problem with the TDF was that it was *not part of the YPA* and it was created as a *local* militia with a decentralized command structure. Under the 1969 Defense Law, the TDF was not subordinated to the YPA. Instead Yugoslavia's armed forces were composed of two *separate and equal* forces; the YPA and the TDF.<sup>888</sup> Every 'social-political unit' (each republic, commune and even lower local bodies) had a responsibility to "organize Total National Defense and to command the battle directly." The YPA remained the responsibility of the federal government but the independent TDF military force was a significant reduction of the authority of the YPA.<sup>889</sup>

The TDF depended on the YPA for much of its support such as schools, armories, and warehouses, along with obtaining old YPA weapons to equip the units. The TDF units used YPA resources (funding, personnel, logistics, and training assets) but the YPA had no direct control over

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<sup>885</sup> *Yugoslavia a Country Study*, ed. Glenn E. Curtis, 235-237. See Also; Milivojevic, "The Political Role of the Yugoslav People's Army in Contemporary Yugoslavia," 35-36. See Also; Maurer, "Defence and Foreign Policy: Switzerland and Yugoslavia Compared," 108.

<sup>886</sup> *Yugoslavia a Country Study*, ed. Glenn E. Curtis, 250-253.

<sup>887</sup> "The TDF concept focused on small, lightly armed infantry units fighting defensive actions on familiar local terrain. The typical unit was a company-sized detachment organized by more than 2,000 communes, neighborhood factories, and other enterprises. These units would fight in their home areas, maintaining local defense production essential to the overall war effort. The TDF also included some larger, more heavily equipped units with wider operational responsibilities. TDF battalions and regiments operated in regional areas with older artillery and antiaircraft guns and some obsolete armored vehicles. Using their mobility and tactical initiative, these units would attempt to alleviate the pressure of enemy armored columns, air strikes, and air assaults on smaller TDF units. In coastal regions, TDF units had naval missions. They operated some obsolete gunboats in support of navy operations. They were organized to defend strategic coastal areas and naval facilities against enemy amphibious landings and raids. They also trained some divers for use in sabotage and other special operations." *Ibid.*, p.252

<sup>888</sup> See Appendix II page 464 for graphic showing the separate chain of command for the YPA and TDF.

<sup>889</sup> Robert Dean, "Civil-Military Relations in Yugoslavia, 1971-1975," 25. See Also; Gow, *Legitimacy and the Military; The Yugoslav Crisis*, 46. See Also; Niebuhr, "War in Slovenia: Doctrine and Defeat," 496.

them.<sup>890</sup> The YPA did not like the command system but accepted it because of military necessity.<sup>891</sup>

Another critical point is that the TDF was *organized and funded* by the republics and autonomous provinces. The TDF units were creations of the local governments and were managed by those governments which included passing legislation for *their* TDF. TDF units used local national languages for command and administration. Since management was the responsibility of the republic's staff, there was no General Staff for the TDF so the TDF commanders in the republics were selected, with the *consent of each republic*, by the Commander in Chief (Tito then the Presidency) and were usually from that republic. Many TDF professional officers were YPA retirees or loaned from the active force and after many years in the YPA they tended to be 'Yugoslav' in outlook and not ethnic nationalists.<sup>892</sup> Having YPA officers in the TDF however, did not alter the structural fact that the TDF belonged to the republics and this structure carried over into the 1974 Constitution.<sup>893</sup>

The TND concept and the organization of the TDF fit well with the Yugoslav concept of 'self-management' and increased the republic's influence on defense issues.<sup>894</sup> One justification for the new doctrine was that it promoted 'the socialization of people's defense' according to the principles of self-management.<sup>895</sup> The doctrine of a nation-in-arms increased the social prestige, political power, and

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<sup>890</sup> *Yugoslavia a Country Study*, ed. Glenn E. Curtis, 250-252. See Also; Bebler, "The Yugoslav People's Army and the Fragmentation of a Nation," 45. See Also; Niebuhr, "War in Slovenia: Doctrine and Defeat," 496-498.

<sup>891</sup> Gow, *Legitimacy and the Military; The Yugoslav Crisis*, 48.

<sup>892</sup> Bebler, "The Yugoslav People's Army and the Fragmentation of a Nation," 45. See Also; Florian Bieber, "The Role of the Yugoslav People's Army in the Dissolution of Yugoslavia; The Army Without a State?" in *State Collapse in South-Eastern Europe: New Perspectives on Yugoslavia's Disintegration*, eds., Lenard J. Cohen and Jasna Dragovic-Soso (West Lafayette, IN.: Purdue University Press, 2008), 304. See Also; Niebuhr, "War in Slovenia: Doctrine and Defeat," 498.

<sup>893</sup> "Article 239 of the 1974 Constitution, and Articles 16-19 of the 1974 National Defence Law, specifically state that the TDF, in accordance with the doctrine of TND, is a strictly decentralized organization, the components of which are under the jurisdiction of the republics and autonomous provinces, each of which has its own TDF headquarters. The fact that TDF forces were commanded by YPA reserve officers, who were under the command of the YPA Chief-of-Staff, in no way affected the decentralized organization of the TDF. Article II (Paragraph 2) of the National Defence Law, in particular, clearly stated: 'The responsible authorities of the republics and autonomous provinces and communes shall organize and prepare territorial defence and shall ensure the unity of their organization, preparations and operations in their territory.'" Milivojevic, "The Political Role of the Yugoslav People's Army in Contemporary Yugoslavia," 36.

<sup>894</sup> Dean, "Civil-Military Relations in Yugoslavia, 1971-1975," 24.

<sup>895</sup> Gow, *Legitimacy and the Military; The Yugoslav Crisis*, 47. See Also; Niebuhr, "War in Slovenia: Doctrine and Defeat," 499.

influence of the military in Yugoslav society but it was the TDF that made the most gains.<sup>896</sup> TND “met civilian demands for self-managing principles to be applied to the armed forces, bringing defence into line with the decentralizing, confederative tendencies of society at that time.”<sup>897</sup>

“In the form and context in which it was initiated, territorial defense threatened the professional and institutional integrity of the YPA. It was apparent that the Army would become subject to pressures for republican control and internal reforms to accommodate a pervasive federalization. Two early sign of this were increased pressures for national posting practices (i.e. stationing ethnic Serbs, Croats, and others within their own republics) and use of multiple command languages.”<sup>898</sup>

Pressure for greater control and influence over military matters materialized quickly in the republics. During the debate on Croatia’s internal republic defense law in early 1971, “opposing notions of federal and republican armed forces took on a mutually exclusive character”.<sup>899</sup> Croatian nationalists later in 1971 demanded that Croatia should have its own army which was a key trigger for the suppression and purge that followed.<sup>900</sup> The Croatian nationalist crisis in 1971 illuminated the potential danger of separate defense forces; especially locally organized and funded militias.

“The Croatian disturbances of 1971, however, revealed the great political dangers inherent in Article II of the National Defence Law, in that the Croatian TDF, under the political control of the then LCC, could have easily become the ‘Croat Army’ that Tito so strongly objected to in 1971.”<sup>901</sup>

The YPA was determined to restore its primacy in the Yugoslav defense system and successfully pushed for a redefinition of command relationships. There was a need operationally for decentralization and there was a need to preserve the concept of self-management in defense matters so the TDF was not merged into the YPA and the YPA was not placed in direct control of the TDF. The YPA became the predominant force under the 1974 Constitution but the TDF remained decentralized. It was not until 1980 (after Tito’s death) and the creation of the Council for Territorial Defense that the YPA was able to

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<sup>896</sup> Milivojevic, "The Political Role of the Yugoslav People’s Army in Contemporary Yugoslavia," 36. See Also; Niebuhr, “War in Slovenia: Doctrine and Defeat,” 499-500.

<sup>897</sup> Gow, *Legitimacy and the Military; The Yugoslav Crisis*, 47.

<sup>898</sup> Dean, “Civil-Military Relations in Yugoslavia, 1971-1975,” 25.

<sup>899</sup> Ibid.

<sup>900</sup> Milivojevic, "The Political Role of the Yugoslav People’s Army in Contemporary Yugoslavia," 21. See Also; Gow, *Legitimacy and the Military; The Yugoslav Crisis*, 57.

<sup>901</sup> Ibid., 36.

indirectly control the TDF. The Council for Territorial Defense became responsible for the organization and command of the TDF taking responsibility from the local authorities. The Council was composed of representatives from all republics and autonomous provinces TDF headquarters and representatives from the federal secretariat for national defense.<sup>902</sup> Despite various author's assertions that the recentralization measures and creation of the Council for Territorial Defense resolved all issues related to the political control over the TDF events showed that the TDF remained a potential problem for the YPA.

Furthermore, the republics remained involved with the TDF in a significant way.

“It became increasingly apparent that the YPA would direct TDF units in combat, except in enemy controlled areas or in case of a disruption in the chain of command. Despite losing control over their TDF organizations, the republics and autonomous provinces continued to bear the financial burden of supporting them. Those jurisdictions were still required to provide infrastructure and logistical support to TDF units operating on their territory.”<sup>903</sup>

The YPA only regained *operational control* of the TDF units with the new Defense Law in 1974 (which still proscribed a decentralized TDF) and the creation of the Council for Territorial Defense. The TDF were never directly subordinated to the YPA; the YPA did not create them or directly maintain them. The TDF units were still funded and logistically supported by their local governments and so therefore remained “their” military force. The continued potential for TDF units to constitute an ethnic national army was recognized by the YPA and resulted in the elimination of the TDF in Kosovo after an uprising in 1981 (after the YPA had supposedly gained control over the TDF)<sup>904</sup> and by the actions of the YPA to disarm the Croatian and Slovenian TDF's.<sup>905</sup>

The creation of multiple jurisdictions with the capacity to create military capability congruent with local ethnic nationalities is the obvious structural element that transformed Yugoslavia from an

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<sup>902</sup> Ibid., 37.

<sup>903</sup> *Yugoslavia a Country Study*, ed. Glenn E. Curtis, 252. See Also; Bennett, *Yugoslavia's Bloody Collapse*, 76.

<sup>904</sup> Bebler, “The Yugoslav People's Army and the Fragmentation of a Nation,” 46. See Also; Bieber, “The Role of the Yugoslav People's Army in the Dissolution of Yugoslavia; The Army Without a State?” 304.

<sup>905</sup> “Thanks to the recognition that the Territorial Defense Forces were beholden to the republics and not necessarily the federal government JNA leaders feared that the TDF units would respond to only selfish interests. Thus, the entire notion of a two-tiered defense system came under fire; furthermore, the allegiance of the TDF was questioned in case of domestic troubles. The JNA felt it was necessary to reform this situation and make the state more secure from within and without. One more caveat complicated things even further; namely, the failure to recognize that if domestic disorder spread to fighting, the multi-ethnic JNA might also suffer from desertions or sabotage by the ethnic group(s) in revolt.” Niebuhr, “War in Slovenia: Doctrine and Defeat,” 501.

integrated Amalgamated Security Community to a partially integrated ASC. There is another factor that involves identity. The YPA which considered itself a pan-Yugoslav and integrative institution devoted to producing a 'Yugoslav' supranational identity in its soldiers, was itself responsible for the disintegration of the Yugoslav ASC *because it failed to be a pan-Yugoslav integrative institution*. Instead, the YPA was seen as favoring one ethnicity (Serbs) over the other elements in Yugoslav society which in turn produced a backlash and rejection of the YPA by the other nationalities as the military force that represented them, i.e. the YPA lost its Military Legitimacy with the other ethnic groups. It will be seen that this occurred much earlier than the process involved with the actual breakup of the country, and was in fact already evident in the debates (1970) leading up to the Croatian nationalist crisis of 1971.

Although the issue of bias towards Serbs in the security services was made public in the 17 June 1970 issue of a Croatia newspaper, the numbers and percentage of the composition of various nationalities in the officers' corps was first revealed in the Belgrade journal *Nin* on 20 September 1971, and then confirmed in the Western press.<sup>906</sup> If there is one fact about the YPA that is repeated by every source on the subject, it is this ethnic imbalance in the officer corps in which the Serbs and Montenegrins were greatly over represented in comparison to their proportion of the general population. The Serbs consistently made up about 60 percent of the YPA officer corps and with the Montenegrins they made up about 70 percent of the total. Ethnic representation among the generals and high ranking commanders was more balanced. Albanians and Muslims that had demographic distributions with larger numbers of young people tended to be over represented among the enlisted recruits in relation to their percentage in the population. The result was that one ethnic group provided a majority of officers while other groups

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<sup>906</sup> *National Structure of the Yugoslav Army Leadership*, by Zdenko Antic, Radio Free Europe 12 April 1972. Open Society Archives. Available from <http://www.osaarchivum.org/files/holdings/300/8/3/text/80-2-232.shtml> Internet; accessed 2 September 2010. See Also; Benson, *Yugoslavia: A Concise History*, 121.

provided a greater share of soldiers.<sup>907</sup> This problem was recognized by the Yugoslav leadership and the YPA as being critical to the military legitimacy of the armed forces.<sup>908</sup>

The 1974 Constitution, Article 242, made balanced regional recruitment into the army a legal and constitutional obligation. Despite significant expense and effort this imbalance in the officer and NCO corps was never remedied.<sup>909</sup> The YPA considered the problem of proportional composition of the officer corps to be extremely important for its own identity. The tradition of 'Brotherhood and Unity' that melded various ethnic groups into a successful fighting force during WWII impelled the YPA to adopt policies that would create and maintain a proportional officer corps.<sup>910</sup>

“Equal representation of nationalities was (and would remain) paramount for the YPA. To sustain its tradition of ‘brotherhood and unity’ and maintain itself as a symbol of ‘Yugoslavness’, it had to be seen to be the army of all Yugoslavs.”<sup>911</sup>

The vast majority of officers in the YPA truly did believe in Yugoslavia and that the YPA was a pan-Yugoslav integrative institution that was carrying forward the ideals of the Partizans.<sup>912</sup> The YPA's policies and processes of creating a supranational pan-Yugoslav identity in the officer corps worked on a majority of officers. The YPA leadership revered the memory of Tito and was committed to the ideology of Yugoslavism.<sup>913</sup> The YPA tried various methods to address the imbalance in the officer corps including quotas based on nationalities for military schools and scholarships that paid forty percent more than elsewhere in the country. In 1973 it was noted that “if the number of Slovene officers continues to

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<sup>907</sup> Gow, *Legitimacy and the Military; The Yugoslav Crisis*, 54. See Also; Bieber, "The Role of the Yugoslav People's Army in the Dissolution of Yugoslavia; The Army Without a State?" 306-307. See Also; Cohen, *Broken Bonds; The Disintegration of Yugoslavia*, 182.

<sup>908</sup> “The effort to establish a genuinely proportional representation in the officer corps, already under way in 1970, was begun again in earnest following the Croatian crisis, spurred by a new sense of urgency to transform the YPA into an all-Yugoslav organization. This is a long-term problem, but both political and military leaderships realize that a national balance in the officer corps is an essential ingredient in preserving its stability and reliability. Without it, popular apprehensions - especially in Croatia – would go unmitigated and whatever unifying role the military might play would be compromised.” Dean, “Civil-Military Relations in Yugoslavia, 1971-1975,” 37 (underline by this author). See Also; Gow, *Legitimacy and the Military; The Yugoslav Crisis*, 76.

<sup>909</sup> Bebler, “The Yugoslav People's Army and the Fragmentation of a Nation,” 42-44.

<sup>910</sup> Gow, *Legitimacy and the Military; The Yugoslav Crisis*, 54-55.

<sup>911</sup> Ibid., 55 (underline by this author).

<sup>912</sup> “After 1980 the JNA (YPA) knew that, along with the League of Communists, it was the glue that was holding Tito's Yugoslavia together. Even up to the outbreak of war in 1991, most officers genuinely believed in the multinational union of six Socialist republics, and in “*bratstvo i jedinstvo*,” the official slogan of Brotherhood and Unity.” Silber and Little, *Yugoslavia; Death of a Nation*, 50.

<sup>913</sup> Gow, *Legitimacy and the Military; The Yugoslav Crisis*, 61.

decline, Slovenes will soon have almost no cadres at the command level.”<sup>914</sup> Writing in 1976 Robert Dean described a congruence of ethnicity in the TDF and reserves but a continuing imbalance in the YPA despite significant efforts. He also notes that to recruit sufficient Croatian officers, quality standards had to be significantly lowered.<sup>915</sup> Problems recruiting Albanian officers were ascribed to educational and language problems.<sup>916</sup>

Explanations for the inability of the YPA to make any significant improvement in the imbalance in the officer corps include socioeconomic factors such as the greater economic opportunities available to Slovenes and Croatians whereas in poor areas with limited opportunities a military career would be seen as more attractive. This explanation fails to explain the low numbers of poor Albanians, Muslims, and Macedonians in comparison to the Serbs. A cultural explanation is that there was a greater respect for a military career in Serbia and Montenegro and that the Partizan officer corps was also populated by Serbs who may have encouraged their children to follow them into the military. Various scholars indicate there may have been a combination of factors that led to the overrepresentation of the Serbs in the officer corps of the YPA.<sup>917</sup> What is not stated and is critically important is that the continued imbalance in the officer corps of the YPA despite strenuous efforts to address the issue represents a rejection of the YPA as a career by the other ethnic nationalities. This rejection may have been due to other YPA policies that were more welcoming towards ethnic Serbs; in particular the language policy.

A single language for Command and Control functions is required for any military to operate and is one of the basic elements of military integration. Language policy was also a tool of the YPA to try and reduce ethnic identity within the officer corps. According to Article 243 of the 1974 Constitution “equality of languages and alphabets of nations and nationalities of Yugoslavia shall be ensured in the Armed Forces. In matters of command and military training in the YPA one of the languages of the

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<sup>914</sup> Ibid., 55. See Also; Bieber, “The Role of the Yugoslav People’s Army in the Dissolution of Yugoslavia; The Army Without a State?” 305-306.

<sup>915</sup> Dean, “Civil-Military Relations in Yugoslavia, 1971-1975,” 38.

<sup>916</sup> Gow, *Legitimacy and the Military; The Yugoslav Crisis*, 55.

<sup>917</sup> Bieber, “The Role of the Yugoslav People’s Army in the Dissolution of Yugoslavia; The Army Without a State?” 307-308. See Also; Dean, “Civil-Military Relations in Yugoslavia, 1971-1975,” 37.

nations of Yugoslavia may be used, and in parts of the country the languages of the nations and nationalities.” YPA policy violated this provision. Serbian was the only language in the YPA; for command, training, education, administration, and for communication with civilian authorities and the public. The YPA used Latin script rather than Cyrillic. The YPA High Command forbade the use of any language other than Serbian even in reserve units that were ethnically homogeneous. The language policy was tied to the policy of extraterritorial recruitment and assignment. The policy was deliberately designed to weaken national ethnic identity and foster a supranational pan-Yugoslav identity among professional YPA soldiers.<sup>918</sup>

“Exterritorial posting, national uprooting and official communication exclusively in the Serbian language had led to frequent and at least partial assimilation of non-Serbs, mostly into a ‘Serboslav’ culture”<sup>919</sup>

Recruiting non-Serb ethnicities into a culturally ‘Serboslav’ institution would be quite difficult when the expectation is that the person would spend the majority of his life in that culture and would most likely become ‘Yugoslav’ in the process. This was a significant sacrifice for potential officers from the other nationalities but was no sacrifice for the Serb and Montenegrin recruits.

“Since the language of the armed forces was Serbo-Croat, Slovenes, Hungarians, Macedonians and especially Albanians often felt ill at ease serving in the military”<sup>920</sup>

There is an additional facet of the problem rooted in the history of the Yugoslav army. The Royal Yugoslav Army was also dominated by Serbs and was used against the other nationalities to promote Serb interests. Writing in 1976 Robert Dean shows that the perception of the YPA as a tool to promote Serb interests by other ethnic groups occurred long before the rise of Milošević.<sup>921</sup> The fact is that the

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<sup>918</sup> Bebler, “The Yugoslav People’s Army and the Fragmentation of a Nation,” 44-45.

<sup>919</sup> Ibid., 45.

<sup>920</sup> Bennett, *Yugoslavia’s Bloody Collapse*, 76.

<sup>921</sup> “The question is, above all, how to induce more Croats and Slovenes into the YPA and retain them as career officers. In the past recruitment has suffered because of wider career alternatives in these economically more advanced republics, and especially in Croatia, where the Army’s image is tarnished by the preponderance of Serbs and by historical associations with Serb hegemony.” “The image of the YPA as an instrument of Serb hegemony, inherently hostile and uncompromising toward Croatian interests, accounted for the deep mistrust with which Croatian politicians viewed the YPA in 1971, and their predisposition for national or territorial armies. The incubus of a Serb-dominated military has plagued efforts to overcome national resentment in Yugoslavia.” Dean, “Civil-Military Relations in Yugoslavia, 1971-1975,” 37. (underline by this author) See Also; Milivojevic, “The Political Role of the Yugoslav People’s Army in Contemporary Yugoslavia,” 38-39.



YPA was predominantly officered by Serbs and Montenegrins and was therefore perceived as a Serb institution.<sup>922</sup> Long before the rise of Milošević the other ethnic nationalities clearly rejected the YPA as being ‘their’ army and they responded to the YPA with hostility. In 1988 Marko Milivojevic noted that the YPA’s Achilles’ heel was nationalism.<sup>923</sup>

The clearest example of adversarial civil-military relations was in Slovenia. The scarcity of officer recruits from Slovenia resulted in part from a prevalent anti-military attitude among Slovene youth. Civil-military relations in Slovenia were permanently and severely damaged by the trial of the Ljubljana 4 because it was conducted in a *military court* in the *Serbian* language despite the venue being in Ljubljana and the defendants being Slovenian. The secret document they were being prosecuted for possessing (Ljubljana Military District Order 5044-3) was seen as a plan for an Army crackdown on Slovenia. These factors were seen by the Slovenes not only as the Army getting even with the journalists but also that the trial was anti-Slovene.<sup>924</sup>

“Both the documents and the arrest of journalists polarized public opinion in Slovenia against the army and the federal state and effectively pushed the Slovene party leadership eventually in opposition to the army.”<sup>925</sup>

“The trial took Slovenia one step further from Yugoslavia. It unified the tiny republic against the JNA (YPA) – the symbol of the Communist Federation.”<sup>926</sup>

Besides fighting to regain operational control of the TDF, the YPA undertook a major reorganization called the 'Jedinstvo' (Unity) plan in 1988 that reduced territorial military districts from five to three

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<sup>922</sup> Gow, *Legitimacy and the Military; The Yugoslav Crisis*, 76.

<sup>923</sup> “How YPA and TDF members, and the domestic population as a whole would actually behave in the event of a YPA attempt to seize power is an even more problematical and highly controversial question. Since many non-Serbs, and the Croats in particular, currently perceive the YPA to be a bastion of Serb nationalism, hegemony, centralism and ideological conservatism, their response to any YPA attempt to seize power, in the name of national unity and public order, would probably be highly hostile, and could easily take violent forms. Resistance to such a development would be highly probable in Croatia and Kosovo. The YPA command, in all likelihood, would not be able to rely on its non-Serb conscripts, and possibly even its few non-Serb officers and higher commanders (especially in Croatia and Kosovo), to obey its orders.” Milivojevic, “The Political Role of the Yugoslav People’s Army in Contemporary Yugoslavia,” 40. (underline by this author)

<sup>924</sup> Gow, *Legitimacy and the Military; The Yugoslav Crisis*, 76-85. See Also; Bieber, “The Role of the Yugoslav People’s Army in the Dissolution of Yugoslavia; The Army Without a State?” 312-313. See Also; Silber and Little, *Yugoslavia; Death of a Nation*, 55-57. See Also; Bennett, *Yugoslavia’s Bloody Collapse*, 105.

<sup>925</sup> Bieber, “The Role of the Yugoslav People’s Army in the Dissolution of Yugoslavia; The Army Without a State?” 313.

<sup>926</sup> Silber and Little, *Yugoslavia; Death of a Nation*, 57.

military districts that deliberately did not match the boundaries of the republics in order to break up relationships between the republics' leadership and the military districts. Along with this restructuring, the policy of appointing military district commanders from the republic that corresponded to the district was ended.<sup>927</sup> This reorganization was handled differently than previous reorganizations in that it was done quietly without public discussion. In Slovenia this resulted in the elimination of the Ljubljana Military District and was seen as a reprisal by the YPA against the republic.<sup>928</sup>

Despite its claims to be a pan-Yugoslav institution the YPA could no longer function as a symbol of Yugoslavism. It lost its ability to function as a unifying institution. In the process of trying to hold Yugoslavia together the decision by the YPA leadership to align with Milošević completely ruptured any possible claim to be anything other than a tool of the Serbs.<sup>929</sup> In addition most of the central military institutions, YPA elite units, and the largest defense industries were located in Serbia.<sup>930</sup> By aligning itself with the Milosevic and the Serbs the YPA undermined the basis of its military legitimacy, being a pan-Yugoslav integrative institution, and harmed the perception of the YPA as a 'Yugoslav' army in areas such as Kosovo, Croatia, Macedonia and Slovenia. Despite its ideological commitment to Yugoslavism and its desire to reinforce the central government and its privileges within the Yugoslav system, the YPA's actions worked against its goals.<sup>931</sup> This loss of legitimacy by the YPA resulted in widespread rejection of the YPA as 'their' military force by several non-Serb ethnicities.

"By mid-1990 popular antipathy to the federal military in Slovenia and Croatia – a sentiment that had been on the rise in those republics for several years- became extremely intense." "Survey results indicated that citizens in Slovenia (78 percent), Kosovo (65 percent), and Croatia (54 percent), felt strongly that there should be a reduction of republican funding for the federal military." Yugoslav researchers interpreting such data concluded that the 'high percentage of citizens from Slovenia and Kosovo supporting a decrease in assistance reveals how, within such

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<sup>927</sup> Bieber, "The Role of the Yugoslav People's Army in the Dissolution of Yugoslavia; The Army Without a State?" 309-311. See Also; Bebler, "The Yugoslav People's Army and the Fragmentation of a Nation," 40.

<sup>928</sup> Gow, *Legitimacy and the Military; The Yugoslav Crisis*, 96-98.

<sup>929</sup> Bebler, "The Yugoslav People's Army and the Fragmentation of a Nation," 39. See Also; Bieber, "The Role of the Yugoslav People's Army in the Dissolution of Yugoslavia; The Army Without a State?" 315-316. See Also; Bennett, *Yugoslavia's Bloody Collapse*, 133. See Also; V.P. Gagnon, "Historical Roots of the Yugoslav Conflict " in *International Organizations and Ethnic Conflict*, eds., Milton J. Esman and Shibley Telhami (Ithaca, NY.: Cornell University Press, 1995), 179-197.

<sup>930</sup> Bebler, "The Yugoslav People's Army and the Fragmentation of a Nation," 39-40.

<sup>931</sup> Niebuhr, "War in Slovenia: Doctrine and Defeat," 503. See Also; Bebler, "The Yugoslav People's Army and the Fragmentation of a Nation," 46.

areas, the JNA (YPA) is considered a means for internal repression, and not as a force for defending Yugoslavia.”<sup>932</sup>

The importance of identity and military force for the continuation of an Amalgamated Security Community in this example is quite clear. First, TDF units provided a structural division of military forces into federal and local forces; the federal forces adopting a ‘Serboslav’ culture that was not welcoming to other ethnic groups while the local TDF units were usually ethnically homogeneous. Second, Serb overrepresentation in the officer corps of the YPA undermined military legitimacy by provoking other ethnic groups to view the army as being a tool of the Serbs and not an institution that would provide security *for* them but rather potentially would be used *against* them to advance Serb interests. Since the YPA was no longer perceived to be a legitimate military force that would protect the people of Slovenia and Croatia, the governments of those political entities decided to create their own military forces. Thus the disintegration of the partially integrated ASC began.

**4-5. (c). 3. 1990 -1991. Disintegration of the Yugoslav ASC.** The YPA leadership correctly identified the TDF forces as constituting a prospective basis for national ethnic armies in the republics and that they had the potential to permit armed secession.<sup>933</sup> The YPA had already disbanded the Kosovo TDF and was implementing the *Jedinstvo* plan designed to divide the republics from military matters and marginalize the TDF.<sup>934</sup> Anton Bebler describes the disarming of the Slovene and Croatian TDFs by the YPA as a “preemptive mini-coup’ designed to deprive the new non-communist governments of their own armed force.”<sup>935</sup> It simply prompted Slovenia and Croatia to undertake a large arms smuggling operation and “the first significant confrontation between the newly elected governments and federal authorities centered on the issue of military affairs.”<sup>936</sup> Croatia and Slovenia however, refused to back down and continued to build their own forces in opposition to the desires of the YPA.

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<sup>932</sup> Cohen, *Broken Bonds; The Disintegration of Yugoslavia*, 184. (underline by this author)

<sup>933</sup> Niebuhr, “War in Slovenia: Doctrine and Defeat,” 492, 511-512. See Also; Silber and Little, *Yugoslavia; Death of a Nation*, 105.

<sup>934</sup> Niebuhr, “War in Slovenia: Doctrine and Defeat,” 510.

<sup>935</sup> Bebler, “The Yugoslav People’s Army and the Fragmentation of a Nation,” 46.

<sup>936</sup> Cohen, *Broken Bonds; The Disintegration of Yugoslavia*, 118.

“Such opposition increasingly took the form of paramilitary groups. The YPA came under challenge as the sole military instrument of state through the creation of paramilitary groups in the various republics and their subordination to local police. By spring 1991, Slovenia had organized a militia of about 30,000 men, and Croatia had raised a force of about 40,000 militia and another 4,000 Special Forces troops to fight terrorism. The creation of such forces represented a serious challenge to the sovereignty of the SFRY and the legitimacy of the YPA.”<sup>937</sup>

The failure to disarm the forces of Slovenia and Croatia has already been described as well as the YPA’s operational failure against the Slovenian TDF. The point is that the Yugoslav Amalgamated Security Community was in the process of disintegration once Slovenia and Croatia decided to create their own armed forces. It completely disintegrated when these armed forces were not disarmed and the YPA failed to defeat them.

#### **4-5. (d). Measuring Independent Variable – The degree of integration of military capabilities and the capacity to produce military capability**

Previous chapters examined Amalgamated Security Community formation in which the key act is security integration which is a tipping point. This chapter investigates state dissolution in which the key act is security disintegration as sub-state elements establish independent capacity to generate military capability. This is key because it indicates a lack of trust and unwillingness to depend on a combined military for security thereby redefining who is included as a ‘brother-in-arms’; i.e. redefining the ‘us vs. other’ identity at the most basic level. The independent variable is the degree of integration of military capabilities and the capacity to produce military capability. In the case of Yugoslavia the independent variable will be measured by category during three time periods; 1945-1968, 1969-1990, and 1990-1991 which should show a progressive decline in military integration based on the evidence presented.

**Category 1** - Military forces; consisting of administrative staffs and operational forces.

**a.** 1945-1968. During this period the NLA became the YPA and transitioned from a guerilla partisan force operating under the control of different commands and political organizations to a single unified force. The transition also included becoming a conventional army and part of the communist party

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<sup>937</sup> Dr. Jacob Kipp and Dr. Timothy Sanz, Foreign Military Studies Office, US Army Combined Arms Center, Ft. Leavenworth, Kansas. “The Yugoslav People’s Army between Civil War and Disintegration,” *Military Review* 71, no. 12 (1991): 40. (underline by this author)

regime. The Military staffs, administrative support, and operational forces were all part of the same organization and they all responded to the same command structure. The Yugoslav armed forces were completely integrated in this category during this time and will be scored as a 4.

**b.** 1969 – 1990. During this period the TDF became co-equal to the YPA. The TDF was initially not part of the same command structure nor did it receive its funding or logistical support from the YPA.

Administration for the TDF was the responsibility of the governments of the various republics. The YPA was able to reassert operational control of the TDF so that it became subordinate to the YPA command but it did not eliminate the link between the TDF and their respective republics for funding or logistical support. This partial integration of TDF combat forces but not the administrative function is a low level of integration and is scored as a 2.

**c.** 1990 -1991. Croatia and Slovenia established completely separate armed forces from the YPA. Those forces were not under the command of the YPA and they received all administrative support from their own republics. There was no integration between the YPA and these forces so this must be scored as a 0.

**Category 2.** Arms production and Technology as a factor in arms production.

**a.** 1945-1968. Yugoslavia established itself as a leading arms producer and exporter. Since it was outside NATO and the Warsaw Pact it felt a need to be mostly self sufficient. Although it received large amounts of U.S. arms and aid in the 1950's it did however adopt mostly Soviet bloc designs for its own weapons. The Association and Industry of Armament and Ministry Equipment (ZINVOJ) was tightly controlled by the Defense Ministry. Furthermore, the policy of the Defense Ministry and ZINVOJ was to separate the factories involved in the production of weapons so that they were interdependent and no republic (except Serbia) would have the capacity to be self sufficient in arms production. There is no question that during this period Yugoslavia was integrated in this category and so it is scored as a 4.

**b.** 1969 – 1990. The Yugoslav defense industry did not change during this period except for a drop in demand for production and so this period must also be scored as a 4.

**c.** 1990 -1991. The YPA attempted to disarm Slovenia and succeeded in disarming Croatia. Croatia and Slovenia were not able to produce their own arms during this period but engaged in extensive smuggling

operations to supply their forces. Once armed hostilities began, the distributed interdependent defense industry suffered from the obvious disruption of supply and manufacturing that the conflict caused. Sharing in defense production in terms of that production supplying both the forces of Croatia and Slovenia as well as the YPA ended when the YPA decided to disarm the TDF units. Therefore there was no integration in this category during this period and must be scored as a 0.

**Category 3.** Military technology as a factor in operational (combat) forces.

**a.** 1945-1968. There was no large difference in the equipment used by the YPA during this period.

Although different units during this period were provided with U.S. equipment the overall technological level was roughly the same, i.e. WWII and late 1950's equipment that was relatively simple. To account for the different technology from different sources this period is scored as a 3.5

**b.** 1969 – 1990. One of the interesting aspects of Yugoslav defense policy was that the country kept large stockpiles of older weapons even as it sold large quantities of new hardware overseas. TDF units were primarily provided with older weapons and for the most part the TDF units were equipped as light infantry. The YPA was organized as a mechanized force but still used some older US and Soviet artillery, tanks, and equipment from other countries. Given difficulties within the YPA in using different technologies, the TDF forces use of even older equipment could have presented some difficulties. The reason that this was not a crippling problem was that TDF was supposed to be able to operate independently in enemy held areas, i.e. without close coordination with the YPA. There was use of basic common equipment and some key items so that in this category integration can only be seen as being between a low to medium level and is scored as a 2.5.

**c.** 1990 -1991. The smuggling operations to equip the Slovenian TDF and Croatian National Guard primarily provided light arms and some anti-tank weapons. Overall the technological differences with the YPA were about the same as the TDF in the previous period. So although the Slovenian TDF and Croatian National Guard were not intending to be integrated with the YPA, if a confederation proposal had been adopted they would have had an integration in this category of a low to medium level of 2.5.

**Category 4.** Creation of combat power; Doctrine, Training, Leader Development, Organization, Materiel, and Soldiers. (DTLOMS).

**a.** 1945-1968. During this period the YPA went through several doctrinal changes such as adopting a static defense of population centers and All People's Defense that saw the creation of independent partisan units under control of the YPA. Importantly the doctrinal changes applied to the total force as a unified entity. Training was centrally managed for the entire force. Leader development was accomplished through a series of NCO and officer education institutions from military academies through technical schools to a command and staff college that were all managed by the Defense Ministry. The YPA went through several organizational changes; from a guerilla force to a conventional force based on the Soviet Red Army, to a conventional defensive force to a more mobile force that would use conventional and partisan units. But all of these changes were done across the YPA as a whole. Again material was roughly similar during this period although it came from different sources. Recruitment and assignment of conscripts was deliberately done on an extraterritorial basis throughout the country. Personnel policies were implemented throughout the YPA as an integrated force. During this time in this category the force was completely integrated and is scored as a 4.

**b.** 1969 – 1990. During this period the TND doctrine actually split the tactical doctrine to be followed by the YPA and the TDF. The YPA was a conventional mechanized force and the TDF was a partisan force using light infantry tactics to harass delay and attrit enemy forces. Although basic military training was provided through the YPA the focus of sustainment training followed function in that the TDF training focus on light infantry and guerrilla tactics only partially overlapped that of the regular forces. Leader development and military education remained under the control of the YPA. The Yugoslav military organization was obviously split by the creation of the TDF units and the involvement of the republics in the creation funding and administration of those units. YPA units were multiethnic and the TDF units were mostly composed of a single local ethnicity. The provision of older equipment to the TDF units, while economical, was another point of divergence with the YPA. The TDF and the YPA's reserve force

competed for recruits. The TDF soldiers were administered by the governments of the republics, not the YPA. Integration in this category is only in basic areas and can only be given a score of 2.

**c. 1990 -1991.** During this period the YPA was attempting to eliminate the TDFs altogether while the Slovenians and Croatians were creating completely separate organizations based (in Slovenia) on TDF doctrine. The Slovenes and Croatians trained their own forces and did not use the YPA central training facilities. Although leaders in the Slovenian and Croatian forces for the most part had been educated by the YPA, the YPA military education system during this period was not going to provide leaders or leader education to the forces it was trying to eliminate. The forces were completely separate and independent organizations. The material used by the Slovenes and Croatians was for the most part provided by smuggling organized by the republics defense ministers. The Slovene and Croatian soldiers were administered by the governments of the republics. During this period there was no integration in this category and is scored as a 0.

**Category 5.** Use and sustainment of military forces; Command and Control (C2) Communications, Logistics.

**a. 1945-1968.** The YPA had a unified Command and Control system as well as a central communications system. Logistics, while made difficult by the different types of equipment from multiple sources, was still provided by the YPA to the force as a whole. During this period this category was completely integrated and is scored as a 4.

**b. 1969 – 1990.** During this period the creation of the TDF broke up the unified Command and Control of forces. The TDF units were so decentralized that local communities could be in command of their own forces in wartime. It was not until the reorganization of the late 1980's that the YPA restored operational C2 over the TDFs. The same is true of communications in that the TDF units were under local control and would not be directed by the YPA. Logistics for the TDF however remained the responsibility of the republics' governments. To account for the decentralization and then partial recentralization in this category the score is between a medium to low level of integration and is therefore a 2.5



c. 1990 -1991. During this period there was a complete break in command and control of separate organizations that responded to different command authorities. There was no integration in this category and is scored as a 0.

**Category 6.** Budget issues regarding public goods and burdensharing.

a. 1945-1968. The entire force was funded by the central government and so there was complete integration in this area during this time so it is scored as a 4.

b. 1969 – 1990. The YPA was funded by the federal government and the TDF was funded by the republics. It would seem to be a complete lack of integration but the YPA did provide training facilities and conducted basic training for TDF soldiers. As a result there was some overlap in this category but at a low level and is therefore scored as a 1.

c. 1990 -1991. The Slovene and Croatian forces were completely funded by those republics so there was no integration in this category so it is scored as 0.

When all of the scores of the categories of the independent variable are taken together by time period they clearly demonstrate a progression of disintegration in the independent variable. For the period 1945-1968 (Category 1=4, Category 2=4, Category 3=3.5, Category 4=4, Category 5=4, Category 6=4) the result is an average score of 3.92 which indicates a high level of military integration overall during this period. For the period 1969-1990 (Category 1=2, Category 2=4, Category 3=2.5, Category 4=2, Category 5=2.5, Category 6=1) the result is an average score of 2.33 which indicates a low to medium level of military integration overall in this time. For the period 1990-1991 (Category 1=0, Category 2=0, Category 3=2.5, Category 4=0, Category 5=0, Category 6=0) the result is an average score of .4 which indicates an almost complete lack of any military integration which is not surprising since the intent was to establish their own separate military forces.

The entire process through which Yugoslavia disintegrated is marked by issues related to the structure of the military and its role in society and politics. Starting with the creation of the TDF in 1969, the structure changed from a unified integrated institution founded on ‘Yugoslavism’ and ‘Brotherhood and Unity’ that adopted policies to foster a Yugoslav identity, to one in which multiple jurisdictions had

the capacity to generate military capability. The failure of the YPA to truly live up to its vision of itself as a pan-Yugoslav institution due to the overrepresentation of Serbs and the ‘Serboslav’ culture within the YPA led to a loss of military legitimacy and rejection of the YPA by other ethnic nationalities as ‘their’ military. The sociopolitical bond between various segments of the population and the military was broken. This is seen as early as 1970-1971 during the Croatian crisis when the public calls for a “Croatian Army” moved the YPA to push Tito to authorize a crackdown.<sup>938</sup> The military then strengthened the regime and became more politically active. That did not prevent a downward spiral in civil-military relations in Slovenia where the youth rejected the YPA. The rejection of the YPA engulfed the entire Slovene population during the trial of the Ljubljana four. Finally, the alignment of the YPA with the Serb government assured that other ethnic groups would consider the YPA to not only be dominated by Serbs but to be an instrument used to protect Serb interests. The result was that new governments in Slovenia and Croatia determined to build their own armed forces to protect their interests thereby redefining who was included as a ‘brother-in-arms’. The ASC came apart completely when the YPA failed operationally to forcefully keep Slovenia in Yugoslavia. It was a vicious cycle of distrust based on military disintegration of the ASC that destroyed Yugoslavia. This case supports the proposal that the key act in state dissolution is security disintegration as sub-state elements establish independent capacity to generate military capability.

#### **4-6. Czechoslovakia: Peaceful Dissolution of an ASC**

This case is a crucial test of the second part of the argument of this study which is that for state dissolution the key act is security dis-integration as sub-state elements establish independent military generation capability (the *decision* to dis-integrate would be the tipping point). This is examined using the independent variable which is the degree of integration of military capabilities and the capacity to produce military capability. Based on this the null hypothesis is that Amalgamated Security Community formation or dissolution can occur without integration of military capabilities or dissolution of military capabilities. The case of Yugoslavia demonstrated that dis-integration of a previously integrated military

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<sup>938</sup> Milivojevic, "The Political Role of the Yugoslav People's Army in Contemporary Yugoslavia," 38-39.

led to the violent failure of that ASC, and provides a better description of why that ASC failed than previous explanations. The Czechoslovakian case is critical because all of the literature on the subject proposes that the breakup was caused either by structural weakness of the federation, structural decentralization, economic disparities, regional political parties that mobilized ethnic nationalism, or the actions of particular élites and leaders (who lacked statesmanship) that caused the “Velvet Divorce.” There is no disagreement that in the end it was a negotiated and reasonably smooth separation. There is also no hint in the academic literature of any involvement by the military or threat of force involved with this ASC dissolution. Only a few minor scuffles were reported during the period. Therefore, this case in which there is no apparent connection to the military could conclusively refute the second half of the argument of this paper. On the other hand, if a clear connection can be made to military dis-integration, particularly decisions made prior to the breakup, that resulted in the failure of the ASC then the second half of the argument should be seen as quite strong and the null hypothesis completely rejected.

#### **4-6. (a). History of Czechoslovakia’s Breakup**

The main period under consideration in this case is from the end of the “Velvet Revolution” on December 29, 1989 to the “Velvet Divorce” on 1 January 1993, a period of only slightly more than three years. There must however, be a bit of background history to establish the context for this case and the fact that this was an Amalgamated Security Community.

**Background context.** Following the defeat in 1866 the Emperor established the Dual Monarchy of Austria-Hungary in 1867. This created two virtually independent states, each having its own parliament, government, administration, and judicial system, but they were united under the Emperor as a common ruler as well as having a joint foreign policy and some shared finances. The Czechs were under the administration of the Austrians while the Slovaks were under Hungarian control. Although Czech and Slovak movements worked for autonomy in their separate jurisdictions, by 1898 some Czech and Slovak intellectuals began to support the idea of a "Czechoslovak" political entity. Part of the basis for their initial affinity is their significant linguistic similarity (although having their own dialect the Slovaks read and wrote in Czech into the mid-1800s) as well as linkages between protestant sects in the two

communities. Their cultural affinity and the term Czecho-Slovak predated the idea of forming a "Czechoslovak" political entity. What is probably the greatest motivator for creating an idea of there being a "Czechoslovakia" was the Hungarian push for the "Magyarization" of the population of Hungary. The idea of Czechoslovakia continued to develop to the point that students of the Czech leader (later first President of Czechoslovakia) Tomas Masaryk, who strongly supported Czech-Slovak cooperation, formed the Czechoslovak Union and published the journal *Hlas* (The Voice) in 1898.<sup>939</sup> During World War I neither the Czechs nor Slovaks had much desire to fight for the Austrians or Hungarians; as a result many of them deserted and formed the Czechoslovak Legion on the Russian front. The Czechoslovak Legion grew from 1100 men in 1914 to over 40,000 by 1917, and it fought in numerous battles. After the Russian Revolution some of them had to fight to return to Czechoslovakia leaving through Vladivostok and returning in 1920. Others were able to make it to the Western Front where they joined with other Czechoslovak units that had been fighting as part of the French Army creating a unit of over 10,000 that fought at Arras, Champagne and the Argonne. Another Czechoslovak unit of a thousand soldiers fought alongside the Serbian Army. In Italy a Czechoslovak unit of over 4,000 fought alongside the Italian Army on the Piave River.<sup>940</sup> In Western Europe and the U.S., Tomas Masaryk along with Eduard Benes and the Slovak war hero, Milan Stefanik, created the Czechoslovak National Council in 1916, which worked to gain Allied recognition. In the summer of 1918 the Allies recognized the Czechoslovak National Council as the supreme organ of a future Czechoslovak government.<sup>941</sup> Meanwhile, Czech MPs announced on 30 May 1917 in the imperial parliament that there should be a united approach to the self determination of the Czechs and Slovaks. Slovak political leaders made their decision to leave Hungary and join with the Czechs in May 1918 at a secret meeting whose results were sent to Czech politicians. Only in October 1918 did a Slovak politician inform the Hungarian parliament of the intended split and

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<sup>939</sup> Federal Research Division, Library of Congress, *Czechoslovakia a Country Study*, ed. Ihor Gawdiak (Washington DC.: U.S. Government Printing Office, 1989), 28. See Also; Zdenek Suda, "Slovakia in Czech National Consciousness" in *The End of Czechoslovakia*, ed. Jiri Musil (Budapest: Central European University Press, distributed in the US by Oxford University Press, 1995), 107-111.

<sup>940</sup> Ministry of Defence of the Czech Republic. *The Czech Republic and its Armed Forces* (Prague: Military Information and Service Agency, 2001), 18-19.

<sup>941</sup> *Czechoslovakia a Country Study*, ed. Ihor Gawdiak, 29.

that the Slovak National Council intended to determine their own future.<sup>942</sup> The Czechoslovak National Council in Prague declared the independence of Czechoslovakia on 28 October, 1918. Hungary was not disposed to let Slovakia go especially since none of the initial treaties ending the war addressed the boundary between Hungary and Czechoslovakia. Hungarian forces demolished the Slovakian economy moving whole factories to Hungary while military forces occupied the area. In response (with Allied assistance and approval), Czech forces occupied Slovakia, and the Hungarians were forced to withdraw after some skirmishes in which 1000 Czechoslovak soldiers were killed and 3,700 were wounded. Czechoslovakia held the area under martial law for several years after the Treaty of Trianon established the border.<sup>943</sup> The constitution of 1920 created a centralized government in a unitary state but established Czech and Slovak as two official languages and proclaimed the equality of the two branches of the Czechoslovak nation, a formulation favored by Masaryk. The Slovak war hero, Milan Stefanik pushed for a conception of one Czechoslovak nation without branches, with one language, and for a program of migration and intermarriage to ensure a single community developed; he died in an airplane crash in 1919 and so did his idea.<sup>944</sup>

The narrative thus far allows the newly formed Czechoslovakia to be seen as an Amalgamated Security Community. First, there was a longstanding intellectual understanding of a Czecho-Slovak cultural/linguistic affinity. Second, it took the crisis of the First World War to free both nations. More importantly, during that war there were Czechoslovakian units in which Czechs and Slovaks became brothers-in-arms to fight against their common enemy on several fronts. Third, there was a subsequent voluntary political agreement between Czech and Slovak leaders to become subject to a common

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<sup>942</sup> Alena Bartlova, "Political Power-Sharing in the Interwar Period" in *The End of Czechoslovakia*, ed. Jiri Musil (Budapest: Central European University Press, distributed in the US by Oxford University Press, 1995), 163-164.

<sup>943</sup> Eduard Stehlik, *The Heart of the Army: General Staff 1919-2004* (Prague: Military Information and Service Agency, Ministry of Defence of the Czech Republic, 2004), 8-11. See Also; Alena Bartlova, "Political Power-Sharing in the Interwar Period," 168-169.

<sup>944</sup> Zdenek Suda, "Slovakia in Czech National Consciousness" in *The End of Czechoslovakia*, ed. Jiri Musil (Budapest: Central European University Press, distributed in the US by Oxford University Press, 1995), 111-112. See Also; *Czechoslovakia a Country Study*, ed. Ihor Gawdiak, 33-35.

government. Finally, Czechoslovak and Allied forces had to fight a short conflict against Hungarian forces to determine the final borders of the state.

“Fear of a resurgence of the Austro-Hungarian Empire, from which the region had just been liberated, as well as concern over the strong presence of non-Slavic (particularly German and Hungarian) minorities in the country, led Czech and Slovak leaders to opt for union over separation for security purposes. Thus, two nationalities, which shared a similar language but few other cultural characteristics, formed a union based on an instrumental concern for their mutual security.”<sup>945</sup>

It is not necessary here to review the well known story of how Czechoslovakia fared in the face of an aggressive Germany. What is important is to note that on 14 March, 1939, Slovakia declared independence creating the short lived Slovak Republic. Although done at the behest of the Germans it left a significant mark on how the Czechs viewed the Slovaks (a stereotype of Slovak betrayal). Of course the Slovaks had their own stereotype of the Czechs as being patronizing, expansionist and impious.<sup>946</sup>

The reconstitution of Czechoslovakia following World War II can be seen as restoring an Amalgamated Security Community. At the end of the war all of the political parties (except those deemed to be too close to the Nazis) formed a National Front coalition government when the Third Republic was created in April 1945. Because of the disappointment with the West after Munich and the popularity of the liberating Soviet armies the Communist Party of Czechoslovakia (KSC) gained a plurality of the vote in the May 1946 election, gaining control of the Prime Minister's office and the Ministry of Interior. In January 1948 the Ministry of Interior began to purge the Czechoslovak security forces, and by February had conducted a coup using police regiments and a workers' militia they had armed. The army remained in its barracks.<sup>947</sup> Czechoslovakia became a "people's democracy," a satellite of the Soviet Union, and founding member of the Comecon and Warsaw Pact.

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<sup>945</sup> Robert Henry Cox, and Erich G. Frankland, "The Federal State and the Breakup of Czechoslovakia: An Institutional Analysis," *Publius* 25, no.1 (1995): 71.

<sup>946</sup> Petr Prihoda, "Mutual Perceptions in Czech-Slovak Relationships" in *The End of Czechoslovakia*, ed. Jiri Musil (Budapest: Central European University Press, distributed in the US by Oxford University Press, 1995), 133-134.

<sup>947</sup> *Czechoslovakia a Country Study*, ed. Ihor Gawdiak, 54-57.

The next significant event was the “Prague Spring,” of 1968 that resulted in the Warsaw Pact invasion on 20 August. There was a clear difference in the goals of the two communities at this time. The Czechs wanted greater democracy but the Slovaks wanted a reorganized and truly federal state.<sup>948</sup> Dubcek was too popular to remove immediately despite the military occupation of the country but the Soviets were able to replace him in April 1969 with Gustav Husak. Afterwards there was a policy of “normalization” and centralization which entailed a return to ideological conformity through political repression in which all reformists were purged from the government and party.<sup>949</sup> “The most common attitudes toward political activity since the 1968 invasion have been apathy, passivity, and escapism.”<sup>950</sup> This passivity continued during the transition period as well. A significant result of the invasion and the political repression that followed was a deep resentment of the Soviet Union and Husak government.

**“Velvet Revolution” to the “Velvet Divorce.”** Following the fall of the Berlin Wall riot police suppressed a student demonstration in Prague on 17 November. The response was massive protests across the country that eventually led to the fall of the regime. Czechs and Slovaks were united in their opposition to the former regime and all opposition elements were united in seeking the removal of the Husak government. Husak resigned on 10 December, Dubcek became the speaker of the federal parliament on 28 December and Václav Havel was selected to be President of Czechoslovakia on 29 December. Officials and representatives committed to democratic reform replaced the officials from the previous regime, but the governmental structure remained the same. One of Václav Havel’s first acts was to propose to the parliament they should change the name of the country by dropping the word “socialist” from Czechoslovak Socialist Republic. What was thought to be a modest proposal actually led to what was called the “Hyphen War” in which the Slovaks advocated a return to the usage Czecho-Slovakia which had ended with the 1920 constitution. This highlighted a recurring Slovak demand for “visibility” for Slovakia. In the end all groups agreed to a new name; the Czech and Slovak Federative Republic

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<sup>948</sup> Jan Rychlik, “From Autonomy to Federation, 1938-1968,” in *The End of Czechoslovakia*, ed. Jiri Musil (Budapest: Central European University Press, distributed in the US by Oxford University Press, 1995), 195-196.

<sup>949</sup> *Czechoslovakia a Country Study*, ed. Ihor Gawdiak, 65-67.

<sup>950</sup> *Ibid.*, 203. See Also, Prihoda, “Mutual Perceptions in Czech-Slovak Relationships,” 135.

(CSFR).<sup>951</sup> The governments of the two constituent republics negotiated an agreement that each should pay for itself from its own taxes; this unworkable idea was opposed by the federal government which had not been party to the negotiations. No other significant changes were made prior to national elections in June 1990. The election brought Vladimir Meciar to power as head of the Slovak government. At this time he gave no indication of being a separatist but rather was focused on achieving the national ambitions of Slovakia within the federal structure.<sup>952</sup> One issue that gained significance for Meciar was the transition to a market economy strongly supported by the Federal Finance Minister Vaclav Klaus (later head of the Czech government). The people of Slovakia were much more opposed to the loss of government support and loss of jobs through large scale privatization than the Czechs.<sup>953</sup> The 1990 elections set the stage for negotiations between various groups over the future structure of the federation. A new power sharing law that amended the 1968 Constitution was passed in December 1990. A threat by Meciar during negotiations to make Slovak law supreme if the agreed text was changed by the Federal Assembly prompted President Havel to offer two additional proposals; to create a constitutional court, and another that would require a referendum to resolve intractable political disputes (such as an attempt at dissolving the federation) so that the republics would not attempt to gain independence. The power sharing amendments law transferred most administrative functions to the republics but the federal government kept significant authority over key policy areas (e.g. defense, monetary policy, tax policy, economic policy, transportation, customs, and nuclear issues).<sup>954</sup> The Constitutional Court was created in 1991. The referendum law was passed in July 1991 which was supposed to be the ultimate means of resolving the issue of the continuation of the common state, with the stipulation that if more than 50% of

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<sup>951</sup> Eric Stein, *Czecho/Slovakia: Ethnic Conflict, Constitutional Fissure, Negotiated Breakup* (Ann Arbor, MI.: University of Michigan Press, 1997), 57-59. See Also; Vaclav Zak, "The Velvet Divorce – Institutional Foundations" in *The End of Czechoslovakia*, ed. Jiri Musil (Budapest: Central European University Press, distributed in the US by Oxford University Press, 1995), 250-251.

<sup>952</sup> Zak, "The Velvet Divorce – Institutional Foundations," 251-254.

<sup>953</sup> Sharon Wolchick, "The Politics of Transition and the Break-Up of Czechoslovakia," in *The End of Czechoslovakia*, ed. Jiri Musil (Budapest: Central European University Press, distributed in the US by Oxford University Press, 1995), 236-237.

<sup>954</sup> Stein, *Czecho/Slovakia: Ethnic Conflict, Constitutional Fissure, Negotiated Breakup*, 68 – 77. See Also; Zak, "The Velvet Divorce – Institutional Foundations," 256-257



voters in either republic voted to secede, the federal state would be dissolved within a year.<sup>955</sup> Also in 1991 in response to a political split in the Slovak coalition, the Presidium of the National Council using the 1968 Constitution dismissed Meciar and several ministers. Large protests supporting him erupted and he became the most popular politician in Slovakia.<sup>956</sup> In the fall of 1990 a commission was established to begin writing the draft for a new constitution, but it was unable to do so. President Havel ordered a draft to be written by experts, and then be reviewed by the commission; that also failed to produce results. The Federal Assembly began to change what parts of the constitution that it could, but it could not produce a complete document. By February 1991 President Havel began a series of negotiations among the political factions.<sup>957</sup> A complete review of the negotiations is not necessary. However, a text was agreed to at Milovy and approved by the Czech National council on 11 February 1992 but was rejected by one vote in the Slovak Presidium on 12 February.<sup>958</sup> Elections in June 1992 returned Vladimir Meciar to power as head of the Slovak government and Vaclav Klaus became the head of the Czech government. On 3 July 1992 the Federal Assembly was unable to re-elect Václav Havel as President because of Slovak opposition; Meciar had a grudge against Havel because of his dismissal. Havel resigned as President on 17 July (his term expired in October) after the Slovaks approved a Declaration of Sovereignty.<sup>959</sup> Meanwhile, Klaus and Meciar had been negotiating the future of the federation between themselves. Initially welcomed by President Havel as a breakthrough on constitutional issues he quickly became alarmed at the scope of the negotiations and agreement, pointing out that the constitutional division of the state was possible only through a referendum. Neither Klaus nor Meciar wanted a referendum on the division of the state because they did not believe it would pass so they worked to find a solution to divide the federation without one. The Slovaks did not want a complete split but a much looser federation; something the Czech side did not accept. The final decision to end the federation on 1 January 1993 was

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<sup>955</sup> Ibid., 126.

<sup>956</sup> Ibid., 91-94.

<sup>957</sup> Zak, "The Velvet Divorce – Institutional Foundations," 257-258.

<sup>958</sup> Stein, *Czecho/Slovakia: Ethnic Conflict, Constitutional Fissure, Negotiated Breakup*, 172. (Stein provides an in-depth review of the negotiations as he was an international advisor to the process).

<sup>959</sup> Ibid., 190, 209-210.

reached between Klaus and Meciar on the night of 26 August 1992. The Federal Assembly then passed the law on the dissolution of the federation on 25 November 1992.<sup>960</sup>

The breakup of Czechoslovakia has presented the academic community a significant problem. To begin with, as measured by numerous opinion polls, a significant majority of Czechs and Slovaks opposed the breakup of the federation. Although differences existed in each community and certain stereotypes of the other existed, polls in May 1992 showed 64 per cent of Czechs and 72 per cent of Slovaks had good relations with the other community (to include large percentages with friends and relatives in the other republic). Over 80 percent of the population (both Czech and Slovak) supported a referendum on continuing the federation with a small minority indicating they would vote to dissolve it. Also over 80 per cent of both communities blamed politicians for using nationalism for their own purposes and that only the citizens should determine the fate of the federation through a referendum; not the politicians. Large majorities in both republics believed that dissolving the federation would have a negative economic effect.<sup>961</sup> So despite the use of nationalism by politicians the people recognized it and rejected it as a reason to separate from the other community. The structure of the government would have seemed to meet the requirements for a consociational political system that protected minorities and enabled sufficient autonomy so that a negotiated settlement should have been the result.<sup>962</sup>

“Czechoslovakia’s dissolution in 1993, and the failed attempts to keep the country united in the years preceding it are puzzling both to outside observers, as well as Czechs and Slovaks themselves. After all, the objective differences between Czechs and Slovaks were small at the time of the dissolution, with Czechs and Slovaks sharing similar histories, speaking mutually intelligible languages, and practicing the same religion. Public opinion was also staunchly

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<sup>960</sup> Zak, “The Velvet Divorce – Institutional Foundations,” 262-265. See Also; Stein, *Czecho/Slovakia: Ethnic Conflict, Constitutional Fissure, Negotiated Breakup*, 204-218

<sup>961</sup> Sharon Wolchick, “The Politics of Transition and the Break-Up of Czechoslovakia,” 231-236. See Also: Dawn Brancati, *Peace by Design: Managing Intrastate Conflict through Decentralization* (New York: Oxford University Press, 2009), 67-68

<sup>962</sup> “Czechoslovakia disintegrated in spite of the fact that the two societies, at the time of the split, had substantially more in common – at least in sociostructural terms – than they had had at the time of Czechoslovakia’s formation. At the beginning of the 1990s, both featured similar economic and social structures, and demographic behavior, and nearly identical legal, technical and educational systems. Slovakia’s level of urbanization approached that of the Czech Lands and economic interdependence was very high. In spite of these shared characteristics, the state broke up.” Jiri Musil, “Czech and Slovak Society,” in *The End of Czechoslovakia*, ed. Jiri Musil (Budapest: Central European University Press, distributed in the US by Oxford University Press, 1995), 77.

opposed to the breakup and all major political parties in the postcommunist period sought to maintain the country's unity."<sup>963</sup>

The academic response to the peaceful breakup that caught most people by surprise was to propose various explanations; most of them contradictory, and none of them completely satisfactory. Some explanations include; structural weakness of the federation, structural decentralization, economic disparities, regional political parties, mobilized ethnic nationalism, and the selfish actions of particular élites and leaders.<sup>964</sup> There is no agreement in the academic community on what caused the "Velvet Divorce." Abby Innes in *Czechoslovakia: The Short Goodbye* argues that the breakup should not have occurred. From her argument the reason that there is no satisfactory theory would be that the breakup was a manipulated and historically preventable outcome. For Innes Czechoslovakia was quietly and quickly dismantled against the wishes of the people by leaders who manipulated the separation process to increase their own power.<sup>965</sup> A very important aspect that must be emphasized is that this took place within a very short time, during a transition period of uncertainty, while institutions, parties, political leadership and political issues were in a state of flux. After a brief look at the government and an interesting aspect of the economic structure, a review of what was happening in the military arena during this turbulent time may be able to provide additional insight into this riddle of what caused the "Velvet Divorce."

#### **4-6. (b). The Government**

The original government structure of the Czechoslovak ASC was a centralized unitary government which was ended by the Second World War. Although the 1920 Constitution gave Slovaks their own local governments for the first time, there were soon widespread demands for greater autonomy. The main demand was for a Slovak regional parliament to serve as the basis for a regional

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<sup>963</sup> Brancati, *Peace by Design: Managing Intrastate Conflict through Decentralization*, 65.

<sup>964</sup> Cox and Frankland, "The Federal State and the Breakup of Czechoslovakia: An Institutional Analysis," 71. See Also; Milica Bookman, "War and Peace: The Divergent Breakups of Yugoslavia and Czechoslovakia," *Journal of Peace Research* 31, no. 2 (1994): 175-187. See Also; Carol Skalnik Leff, "Democratization and Disintegration in Multinational States: The Breakup of the Communist Federations," *World Politics* 51, no. 2 (1999): 205-235. See Also; Goldie Shabad, Sharon A. Shible, and John F. Zurovchak, "When Push Comes to Shove: An Explanation of the Dissolution of the Czechoslovak State," *International Journal of Sociology* 28, no. 3 (1998): 43-73.

<sup>965</sup> Abby Innes, *Czechoslovakia: The Short Goodbye* (New Haven, CT.: Yale University Press, 2001).

government. There were also demands for parity in proportion to population (Czech to Slovak ratio being 2:1) in the federal civil service.<sup>966</sup> This desire for greater Slovak autonomy became a constant fixture of Czechoslovak politics. The 1948 Constitution created what some have called an asymmetric federation. Slovakia had its own legislative body and governmental structure but there was no similar structure on the Czech side which was governed directly by the central government. The actual power structure was very centralized especially after the Slovak Communist Party was absorbed and downgraded to a regional organization of the Czechoslovakian Communist Party.<sup>967</sup> The 1968 Constitution (a result of the Prague Spring reform movement) created a true federal structure and this structure continued through to the breakup of the ASC. It created a bicameral Federal Assembly with a Chamber of the People, and a Chamber of the Nations made up of equal numbers of Czechs and Slovaks that had jurisdiction over certain areas and which required consent of a majority of each half (Czech and Slovak) to make decisions. The federation was composed of "two equal fraternal nations," the Czech Socialist Republic and the Slovak Socialist Republic, which each had their own governmental structure and administration. The federal government had exclusive jurisdiction over foreign affairs, national defense, resources, and economic policy, while other functions of the central government were allocated to the republics many however, were dual federal and republic jurisdictions. Of course the real power remained in the hands of the Czechoslovakian Communist Party and the process of "normalization" under the Husak government further centralized decision making so that while the structure was federal the government was run by the party.<sup>968</sup>

There is another interesting aspect to the 1968 Constitution dealing with defense. Under the 1968 Constitution Defense Councils were established within the governments of both the Czech Socialist Republic and the Slovak Socialist Republic, despite the retention of defense as the responsibility of the

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<sup>966</sup> Alena Bartlova, "Political Power-Sharing in the Interwar Period" in *The End of Czechoslovakia*, ed. Jiri Musil (Budapest: Central European University Press, distributed in the US by Oxford University Press, 1995), 172-174.

<sup>967</sup> Jan Rychlik, "From Autonomy to Federation, 1938-68," in *The End of Czechoslovakia*, ed. Jiri Musil (Budapest: Central European University Press, distributed in the US by Oxford University Press, 1995), 192-193. See Also; *Czechoslovakia a Country Study*, ed. Ihor Gawdiak, 191-194.

<sup>968</sup> *Czechoslovakia a Country Study*, ed. Ihor Gawdiak, 191-195. See Also; Rychlik, "From Autonomy to Federation, 1938-68," 196-197.

federal government. The members of the Defense Councils in the republics were appointed by and could be dismissed by the chairman of the (federal) State Defense Council, so they were subject to federal authority. The purpose and function of these Defense Councils in the republics was not made clear.<sup>969</sup> It is reasonable to assume that it had some relationship to the network of organizations that conducted paramilitary and civil defense training such as; the Revolutionary Trade Union Movement, the Czechoslovak Socialist Union of Youth, the Pioneers organization, the Czechoslovak Physical Culture Association, and the Association for Cooperation with the Army (SVAZARM) that sponsored defense training through special interest groups that centered mostly on sports such as glider and basic flight training, parachuting, rifle-shooting, dog-handling, and amateur radio operation. There was also an armed People's Militia involved in civil defense that grew out of armed guard units formed in factories, mines, and other installations after World War II.<sup>970</sup> Whatever their function, and despite being subordinate to the federal government, they did provide the government in each republic some administrative capacity to deal with defense issues.

Economic disparity and disagreements over economic policy between the two republics are some of the reasons given as potential motives for the breakup. The fact that both Czechs and Slovaks believed a split would be economically harmful would seem to negate this. There was however, real disagreement over economic policy that has an interesting twist. When Czechoslovakia was created the new state inherited 70 to 80 percent of all the industry of the Austro-Hungarian Empire, most of which was in the Czech Lands. Slovakia lagged behind economically until the Husak government adopted a policy to industrialize Slovakia. This policy was very successful in bringing the two republics to rough economic, social, and educational parity by the early nineties. Slovak industrial output rose from 13 percent of total GDP in 1948 to 30 percent by 1989. The process of industrialization was very rapid and consisted in many cases of large plants located in small cities where they became the dominant employer. This rapid industrialization was at the command of the government to support the economic and strategic goals of

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<sup>969</sup> Ibid., 229-230.

<sup>970</sup> Ibid., 245-246, 251.

the Soviet bloc. One scholar refers to the result as the “well-know one-sidedness of new Slovak industry.” By this he means that the heavy industry built in Slovakia was focused on arms production.<sup>971</sup> The concentration of over sixty percent of the armaments industry in Slovakia was not only done to develop Slovakia but to protect it from the enemy in the West. Czechoslovakia was a major arms exporter in the international market, with only thirty percent of production being used by the Czech military. The Czech and Slovak Federative Republic (CSFR) was the seventh largest weapons exporter in the world, and on a per capita basis the leading arms manufacturer. The weapons included tanks, jet aircraft, radars and a vast quantity of other material. The end of the Cold War sharply reduced demand for arms exports. The new post-communist government in an effort to improve its international image and to move toward a market economy announced that arms sales to other countries would be stopped and that the arms industry would be quickly converted to civilian production. This was found to be unworkable so it was determined that exports would be suspended to areas of tension. Because of the concentration of the military industry in Slovakia the federal government’s plans created a political problem. The military chief of arms production LTG Kovacik, stated that between 120,000 to 150,000 workers in Slovakia would be affected by these policies and the government planned on helping only 13 out of 111 affected factories in the conversion to civilian production. Workers in Slovakia protested and engaged in strikes while the issue became a political problem as unemployment in Slovakia rose to three times that in the Czech lands.<sup>972</sup> Meciar argued that the Slovak Republic's economic problems were directly caused by the federal economic policies. Federal Minister of Finance Vaclav Klaus (later Czech PM) refused to modify the privatization process and transition to a free-market economy despite the

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<sup>971</sup> Musil, "Czech and Slovak Society," 79-81. Also; Vaclav Prucha, "Economic Development and Relations, 1918-89," in *The End of Czechoslovakia*, ed. Jiri Musil (Budapest: Central European University Press, distributed in the US by Oxford University Press, 1995), 62, 73 -75. See Also; Stein, *Czecho/Slovakia: Ethnic Conflict, Constitutional Fissure, Negotiated Breakup*, 25. See Also; Miroslav Kusy, "Slovak Exceptionalism" in *The End of Czechoslovakia*, ed. Jiri Musil (Budapest: Central European University Press, distributed in the US by Oxford University Press, 1995), 150-151.

<sup>972</sup> Thomas Szayna, *The Military in a Postcommunist Czechoslovakia*, A RAND Note, Prepared for the Under Secretary of Defense for Policy, (Santa Monica, CA.: RAND, 1992), 55-58. See Also; LTC Timothy Thomas, Foreign Military Studies Office, US Army Combined Arms Center, Ft. Leavenworth, Kansas., "Armed Forces and the Nation: Searching for Trust in Czechoslovakia," *Military Review* 71, no 12 (1991): 49-51.

complaints of Slovak politicians.<sup>973</sup> The devolution of power in 1990 however, let the Slovaks push back against the drastic changes to the arms industry, as can be seen in continued sale and production of tanks.<sup>974</sup>

“The location of arms plants in Slovakia caused the Slovak government to play an active role in formulating a Czechoslovak foreign policy (in a way that ran counter to the declarations of federal officials), and it forced the federal government to modify its policies in a manner that ran counter to Czechoslovakia’s interests”<sup>975</sup>

“The domestic problems entailed by the cutback of armaments production (economic and ethnic) also led to the continuation of the policy of arms exports, proclamations by Havel and Dienstbier notwithstanding.”<sup>976</sup> The point to this exploration of the arms industry in Czechoslovakia and its involvement in the domestic political competition between Slovakia, the Czech republic, and the federal government is because it involves two categories of the independent variable of this study (Category 2. Arms production and Technology as a factor in arms production; and Category 4. Creation of combat power; Materiel). The development of Slovakian political opposition to federal policies to end arms exports and transition factories, to the point of successfully obstructing those policies to some degree, indicates that at least to some extent there was a partial dis-integration of the capacity to produce military capability in these two categories.

#### **4-6. (c). Defense and Level of Integration**

The Czechoslovakian Military was faced with a serious problem after the Velvet Revolution; it completely lacked any Military Legitimacy. It was a component force of the Warsaw Pact that followed the doctrine, training, organization, and policy of the Soviet Union. It was seen as an extension of the politically repressive Husak regime and closely linked to the Soviet and Warsaw Pact forces that invaded the country in 1968.<sup>977</sup> Other than the Czechoslovak units fighting in World War I in other countries’

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<sup>973</sup> Cox and Frankland, "The Federal State and the Breakup of Czechoslovakia: An Institutional Analysis," 71.

<sup>974</sup> Szayna, *The Military in a Postcommunist Czechoslovakia*, note 120, p. 83.

<sup>975</sup> Ibid., 84.

<sup>976</sup> Ibid., 58, 81-82.

<sup>977</sup> “In the post-Dubcek era, the armed forces suffered from the apathy that seemed to infect the entire society after the Stalin-like crushing of the Prague Spring. The failure to resist the "fraternal" invaders undermined the prestige of the military in its own eyes and in the eyes of the public. Despite the purges of possibly unreliable personnel and the

armies, the Czechoslovak military had not defended the state since the formation of the country. The Czechoslovak military did not fight Hitler, it stayed in its barracks during the communist coup in 1948, and in 1968. It had no legacy of military operations, no credibility as a fighting force and therefore no functional military legitimacy. The Czechoslovak military had no sociopolitical base of legitimacy either. There was a strong undercurrent of anti-military sentiment in Czechoslovak society; a popular literary folk hero was taken from *The Good Soldier Svejk*, a pacifist who avoids fighting by continually getting lost. He was seen to represent a Czech national trait of passive resistance to authority and the armed forces. This was partly due to historical context of being subsumed into the larger empire after losing the Bohemian State in the 1600s which meant that any participation in military activity was for the benefit of a foreign authority. The Warsaw Pact invasion in 1968 amplified this view and had a crushing effect on Czechoslovakia's military forces' morale. The "normalization" process that followed led to purges in the officer corps, a massive exodus of junior officers which were not replaced either in quality or quantity because new officers could not be recruited to attend officer schools despite significant incentives.<sup>978</sup> A deep antipathy toward the Soviets in society directly affected the soldiers who were short term conscripts leading to chronic low morale. The society, which reacted to political repression with a type of passive resistance by avoiding politics and contact with government, generated a strong increase in pacifism as the military was seen to simply be a part of a repressive system. Opinion polls consistently demonstrated that the military lacked prestige and had a negative stereotype; it was even considered to be unnecessary.<sup>979</sup> This passive anti-military outlook seems to have been pervasive.<sup>980</sup> After the "Velvet

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redoubling of propaganda efforts in military schools and training programs, some outside observers in the 1970s and 1980s questioned the reliability of the Czechoslovak forces in the event of an East-West conflict." *Czechoslovakia a Country Study*, ed. Ihor Gawdiak, 228.

<sup>978</sup> Ibid., 227.

<sup>979</sup> Szayna, *The Military in a Postcommunist Czechoslovakia*, 12-14. See Also; LTC Thomas, "Armed Forces and the Nation: Searching for Trust in Czechoslovakia," 46-47.

<sup>980</sup> "During the mid-1980s, Czechoslovak military officers frequently complained that young draftees were physically soft. They were said to lack basic military knowledge and to regard service as an obligation to be endured rather than as a patriotic duty. These complaints mirrored those made in the 1970s despite subsequent increases in the amount of paramilitary education in the secondary schools, in the attention paid to physical education curricula, in the activities of paramilitary organizations, and in propaganda efforts that attempted to instill in youth a positive attitude toward service in the armed forces. Many adults were said to view paramilitary training as useless or ineffective against weapons of mass destruction. Some employers who were responsible for such training were said



Revolution” the new political elite had little positive to say about the military, with President Havel remarking that he would prefer that Czechoslovakia had no military at all. General Miroslav Vacek Minister of Defense during the Velvet Revolution, became very frustrated with the predominant negative view of the military. Vacek publicly campaigned for the acceptance of the military as a necessary institution stating in a TV appearance;

“If you, esteemed citizens, give me the opportunity to voice only one wish, then I ask you, if this is possible for you, to change gradually your attitude toward our Army, and if you cannot love it, then at least for the beginning, cast off the hostility.”<sup>981</sup>

A final indication of the low morale and distaste for military service was in the mass exodus of officers and soldiers who ran for the exit when given the opportunity. A competency screening for officers that also included a required new oath did screen out undesirables but it also allowed others to leave service without sanctions; by September 1990 over 15 percent of the officer corps left the military. Soldiers left in droves after an alternative service law was passed in March 1990 that not only allowed a civilian to opt out of military service prior to being drafted, but also let soldiers opt out while serving. By October 1990 the army was short 40,000 troops, was only able to fill 40 percent of mid level command positions, and its training and combat readiness had been reduced.<sup>982</sup>

The Czechoslovakian Military completely lacked any Military Legitimacy. It had no functional legitimacy and of the sociopolitical bases of legitimacy, it was not seen to engage in political activity, nor engage successfully in any aspect of military agency, and it had a hostile relationship with its society. Because of this lack of Military Legitimacy the Czechoslovakian Military could not function to either develop or reinforce a super-ordinate identity in the Czecho-Slovak ASC. Not having a military that could perform these functions at a minimum weakened the potential bonds between the two communities leaving the ASC vulnerable to fracture. Perhaps over time (some observers noted it would take at least a decade) it could have developed itself and its relationship with society to the point of being able to

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merely to go through the motions of instruction and even to look for excuses to prevent conscripts and reservists from participating.” *Czechoslovakia a Country Study*, ed. Ihor Gawdiak, 245-246.

<sup>981</sup> Szayna, *The Military in a Postcommunist Czechoslovakia*, 27.

<sup>982</sup> Ibid., 38-41, 51-54.

exercise those functions (this was advocated as the path that should be taken by the Czechoslovakian Military by Western military observers<sup>983</sup>) but it was not given the time as any positive transition was cut short by the Velvet Divorce.

**Organizational Turmoil and transition.** This brings up the next aspect that affected the Czechoslovakian Military in the three years between the revolution and divorce and that is it was a period of turmoil and transition. In 1989 the Czechoslovakian Military was a Warsaw Pact Soviet Army clone. It derived everything from this relationship beginning with its strategic direction and purpose. All of its doctrine, training, leader development, organization, equipment, technology, command and control, communications, logistics, and manning structure were derived by copying the Soviet model. Almost overnight the Czechoslovakian Military was put in the position of having to change all of these critical components. With the end of the Cold War it had no direction and no enemy during this period of transition to focus its efforts. A new strategic doctrine that called for a smaller lighter force to be used only in defense of the territory of Czechoslovakia was not submitted to the Federal Assembly until October 1990.<sup>984</sup> It wasn't until 1991 that the new "Military Defense Doctrine" and new Defense Act were approved by the Federal Assembly.<sup>985</sup> Although President Havel was able to chart a more independent foreign policy (such as the establishment of the Visegrad Group after Feb. '91) there was still a need to move carefully since Soviet troops did not leave Czechoslovak territory until June 1991 and the Warsaw Pact did not dissolve until July.<sup>986</sup> The removal of dubious officers and communist officials as well as the rush for the exit by officers and soldiers has been noted, but the impact on the organization, structure, and its ability to function must also be taken into account as another element of turmoil during this period. President Havel replaced General Vacek as Defense Minister in October of 1990 with Mr. Lubos Dobrovsky, a civilian deputy foreign affairs minister with no military experience.<sup>987</sup> Although it

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<sup>983</sup> LTC Thomas, "Armed Forces and the Nation: Searching for Trust in Czechoslovakia," 46-55.

<sup>984</sup> Szayna, *The Military in a Postcommunist Czechoslovakia*, 33-35.

<sup>985</sup> Stehlik, *The Heart of the Army: General Staff 1919-2004*, 84.

<sup>986</sup> Ministry of Defence of the Czech Republic, *The Czech Republic and its Armed Forces*, 44-45. See Also; Stehlik, *The Heart of the Army: General Staff 1919-2004*, 84.

<sup>987</sup> LTC Thomas, "Armed Forces and the Nation: Searching for Trust in Czechoslovakia," 48.

established civilian control over the military it did not improve management effectiveness during the transition period as a number of critics pointed out. Critics of the military both within and from the outside abounded during this period. An opposition group within the military formed in November 1989 was called Military Forum, which was closely linked to the civilian opposition group Civic Forum. It pushed for a complete depoliticization of the military that would have been a massive purge leaving only junior officers and soldiers in uniform (an indication of the great distrust between junior and senior levels in the armed forces). Military Revival Association was a group of civilian and military personnel who had been purged in 1968 that wanted rehabilitation of those who had been purged but also acted as a watchdog recommending reforms. Two trade unions for soldiers, the Union of Professional Soldiers and the Young Servicemen's Association, were established along with a union for civilian employees in 1990. An external civilian group that was distrustful of the military, the Military Commission of the Civic Forum Coordinating Center (VKKCOF) was also established as a watchdog group. As dissatisfaction with the reforms in the military increased some of the members of the Military Forum created a more radical group in 1990, the Free Legion, which pushed for a quick, comprehensive, and radical reform of the military. The Association of Slovak Soldiers will be explored in more detail below.<sup>988</sup> The point is that during this period multiple advocacy and watchdog groups were created focused on the military and desiring particular reforms that caused even more turbulence for neophyte civilian leaders as they attempted to manage the Czechoslovakian Military.

The Czechoslovakian Military had another issue and that was its geographic location. In 1990 all of its forces were located in the western part of the country (i.e. Bohemia) and in order to conform to its new territorial defense strategy there would have to be a large scale redeployment and rebasing done concurrently with any reorganization. The result was "Plan 2005" that described a gradual redistribution of forces to bases vacated by Soviet units in Slovakia.<sup>989</sup> It was a three phase plan. By 1992 the military would be reduced in size, reorganized and equipment changed to reflect a defensive strategy (and to

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<sup>988</sup> Szayna, *The Military in a Postcommunist Czechoslovakia*, 29-32.

<sup>989</sup> Ibid., 37.

comply with CFE requirements). By 1996 half of the force was to be professional soldiers. The General Staff was to have overall command of all forces but only the Air Force and air defense forces would be directly subordinate to it. The rest of the armed forces were to be organized into Czech, Moravian, and Slovak territorial commands. Each territorial command would also be a field command with subordinate divisions, and would also handle mobilization issues within its area. Two of the five Czech divisions and both Slovak divisions were to be active with three Czech divisions kept at a lower readiness level.<sup>990</sup> The personnel changes and impacts of the opt out legislation has been noted, but there is another personnel change with greater implications. Part of the law on military service was designed to ‘humanize’ what had been dismal conditions for conscripts by reducing hazing and official punishments. A key policy change on humanitarian grounds was that conscripts were to be allowed to serve close to their home area by 1993. The impact is that as the forces were being redeployed the mostly conscript force would result in ethnic Slovak units stationed in Slovakia and ethnic Czech units stationed in the Czech Lands.<sup>991</sup>

Although it wanted a gradual orderly redeployment and rebasing, events pushed the military to begin moving troops into Slovakia by late 1990. In early 1990 Hungary distanced itself from the Treaty of Trianon that set the border between Slovakia and Hungary. As Hungary began to redeploy its own troops internally the Slovak politicians began to accuse Hungary of interference in Slovakia in the Magyar community as well as planting intelligence agents there. Meciar began to call for rapid redeployment of Czechoslovakian troops to Slovakia against the threat of Hungarian or Ukrainian irredentism. The military was reluctant to do so because the Magyar community viewed the stationing of troops as an attempt by Slovak politicians to intimidate them and they did not want to be drawn into a political confrontation with possible international repercussions.<sup>992</sup> Additional pressure was created by a fear of a flood of Soviet Refugees. Meciar used this to call for more rapid redeployment of forces to Eastern Slovakia and criticized the federal government for not providing security. The limited movement

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<sup>990</sup> LTC Thomas, “Armed Forces and the Nation: Searching for Trust in Czechoslovakia,” 52. (underline by this author) See Also; Szayna, *The Military in a Postcommunist Czechoslovakia*, 62-63.

<sup>991</sup> Szayna, *The Military in a Postcommunist Czechoslovakia*, 54.

<sup>992</sup> Ibid., 37-38.

of units was accelerated to a full scale movement of units by April 1991. The main impediment to the redeployment of troops was funding, the military budget was cut forty percent in 1990 and the 1991 budget was significantly lower.<sup>993</sup>

The result of all of this restructuring, reorganizing, and redeploying turmoil is that the military was in no position to attempt to affect the outcome of the political ‘divorce’ proceedings in contrast to the Yugoslavia case. Furthermore, the level of military integration was being impacted by various policies. If the measures of the independent variable are looked at in light of this evidence there is at least some disintegration taking place in almost all of them. Category 1, Military forces; consisting of administrative staffs and operational forces, were being split between territorial commands that were to handle mobilization issue and would become ethnically distinct over time. Category 2 was touched on above. Category 4, Creation of combat power; doctrine was in a state of flux, training had almost ground to a halt, leaders had been purged and there was a dearth of new ones, the organization was being completely overhauled, materiel was being replaced, and policies regarding soldiers had allowed a mass exodus, and had the potential to reinforce ethnic divisions. Category 5, use and sustainment of military forces; the entire command and control structure was being changed to territorially defined basis, communications would have to be reorganized as would logistics to support the reorganization. Only Category 3, military technology and Category 6, regarding burdensharing, would have remained integrated.

Up to this point it is evident that there were significant problems and changes affecting the Czechoslovakian Military in this case. It does not indicate that the military had disintegrated but that a combination of factors was heading in that direction and could only be said to have reached a partial level of military integration. If this were all the evidence then this case would not support this study. There is however an additional aspect that provides the ‘smoking gun’ to validate the inclusion of this case.

#### **4-6. (d). The Pivotal Point.**

The Slovak National Party, which openly advocated Slovak independence, published an article in October 1990 calling for Slovak soldiers to form an Association of Slovak Soldiers (ASV) as well as

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<sup>993</sup> Ibid., 62-64. See Also; LTC Thomas, “Armed Forces and the Nation: Searching for Trust in Czechoslovakia,” 51.

calling for the formation of two separate armies. The ASV was formed in January 1991. It made multiple accusations that Slovaks were being discriminated against by the more numerous Czechs. It claimed that the percentage of officers was not proportionally representative (although when the numbers were released the claim was clearly false), it wanted Slovakian military academies run by Slovaks even though most military schools were in Slovakia with majority Slovakian staffs. By 1991 Slovakian media called for solving the ‘Slovak problem’ in the military. Slovak officers were reported to attend and vocally support the ASV at nationalist rallies in Bratislava calling Czechs unwanted older brothers. Bitter exchanges occurred in the press between Czech and Slovak officers regarding the ASV. Slovak government officials defended the ASV (including the Slovak Prime Minister Carnogursky – Meciar’s replacement when he was dismissed) and the ASV had governmental contacts since the head of the ASV was an advisor to a Slovak nationalist party. The ASV watched the disintegration of Yugoslavia and learned a lesson from the Slovene victory.<sup>994</sup>

“Seemingly spurred by the example of the Slovenian territorial militia’s success in fighting the Yugoslav federal army to a standstill, calls for the formation of a similar force emerged in Slovakia. What is significant is that the deputy chairman of the Slovak National Council, Jan Klepac, made the call for clearing the way to form a Slovak Home Guard. The announcement showed not just that militants had become powerful within the single-goal Slovak ethnic nationalist movements, but also that the issue had been favored by members of most Slovak political groupings in Slovakia. The measure almost passed in the initial vote in July 1991 by the Slovak National Council, with 47 deputies for, and 53 against.”<sup>995</sup>

The ASV stated that a Home Guard would not be subject to the federal government but come under the jurisdiction of the Military and Security Committee of the Slovak National Council (the defense council created back in 1968 in each republic). The ASV justified the creation of a Home Guard with the slow pace of military redeployment to Slovakia, and the need for security from Soviet refugees, Hungary, and as a force to be used in case of natural disaster. President Havel and the federal Defense Minister spoke out against a Home Guard and in favor of a united federal military. The Home Guard concept made no military sense as it would not be able to defend against the Hungarians, Soviets, or deal with refugees and

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<sup>994</sup> Ibid., 72-78.

<sup>995</sup> Ibid., 75.

the Czechoslovak Army was more than capable of assisting with natural disasters.<sup>996</sup> Slovak government officials including Meciar, Carnogursky, and the Minister of the Interior continued to support the concept.

“The calls for the formation of a Slovak Home Guard have a clear secessionist goal. The Home Guard would be a purely Slovak military force already in place if and when Slovakia were to proclaim independence. This seems to be a clear attempt to apply the Slovenian example to Slovakia. The Czechoslovak federal government would then be confronted with a sizable military operation if it tried to occupy Slovakia by force. Under such conditions, the Home Guard would also attract Slovak soldiers from the federal army, for some of them would undoubtedly defect. Thus, calls for the formation of a Slovak Home Guard amounted to the establishment of a nucleus of a Slovak military – a development that moved Slovakia further along on the path to secession.”<sup>997</sup>

There were even more extreme positions than the official support for a Home Guard.<sup>998</sup> Below the surface of what would appear to be an integrated federal Czechoslovakian Military there were growing fractures in an organization under stress. Given the strident nationalism of the ASV and the public exchanges between Czech and Slovak officers in the press it was likely that ethnic tension within the military would have risen. A conscript military that reflects the society would not be able to counter such a trend especially when the policies involved in redeployment and stationing troops in their home region would lead to ethnically segregated units.

“The increasingly divisive Czech Slovak ethnic conflict has spread to the military. The military’s own plans – to station conscripts closer to their home and to redeploy forces so that they are distributed equally throughout the state - unwittingly plays into the hands of Slovak ethnic nationalists and will result in a de facto Slovak army in Slovakia. The potential creation of a Slovak Home Guard may bring the issue to a head even faster.”<sup>999</sup>

The breakup of Czechoslovakia came before either a Home Guard or de facto Slovak army was created, so one final element is needed; the political decision and the impact on trust.

“Negotiations between the leaders of the two major parties, Klaus and Meciar, quickly broke down. The issues were predictable; Meciar introduced a proposal for a loose confederation that would permit Slovakia to issue its own currency, carry out its own economic reforms, **and maintain an independent military**. Klaus rejected the idea. This disagreement led to a rapid

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<sup>996</sup> Ibid., 76-77.

<sup>997</sup> Ibid., 76.

<sup>998</sup> “But Slovak officials continue to press for their home guard. Extremist groups have called for the creation of a Slovak army and for ‘the liquidation of the irredentists, the Hungarians, all enemies of the Slovaks and the renegade Slovaks.’ LTC Thomas, “Armed Forces and the Nation: Searching for Trust in Czechoslovakia,” 51-52.

<sup>999</sup> Szayna, *The Military in a Postcommunist Czechoslovakia*, 91-92.

disintegration of authority at the center, and the dissolution of the federation seemed to have become a foregone conclusion overnight.”<sup>1000</sup>

The breakup of Czechoslovakia did not require the actual formation of an independent Slovak military; though policy trends would have resulted in that outcome. This study argues that the key to creation of an Amalgamated Security Community is the decision to integrate military forces and the capacity to create military capabilities. It was the decision to dis-integrate military forces by the Slovaks, the advocacy for a Home Guard or an independent army that broke up the Czecho-Slovak ASC. In effect the Slovaks declared that they no longer wished to be brothers-in-arms with the Czechs. The Czechs for their part could no longer trust the Slovaks as partners in an ASC after the Slovaks openly announced they wanted a separate military. This explains the contradictory position of the Slovaks who still wanted to belong to a loose economic and defense confederation with the Czechs – but as equal partners / allies, and why the Czechs rejected this formulation. The Czechs clearly saw the Slovak demands as breaking trust and ending the ASC.

Interestingly the split of military forces on a 2:1 ratio based on the population of the republics was hailed as a peaceful and smooth operation that moved 14,000 pieces of equipment and 73,500 tons of material between 1 November, 1992 and 30 October, 1993. It is also clear that the General Staff and military command had not anticipated the breakup of the federation.<sup>1001</sup> However, “Plan 2005” was already moving the Czechoslovakian Military in that direction and they only had to modify it and speed up the process. This supports the contention that the policies of the military would have resulted in an eventual segregation of the forces.

#### **4-6. (d). Summary of Czechoslovakian case.**

This case is provides strong evidence that even in a situation that has no apparent military connection, the operative mechanism in the process for Amalgamated Security Community failure by dissolution hinges on the *decision* to dis-integrate military forces and the capacity to produce military

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<sup>1000</sup> Cox and Frankland, "The Federal State and the Breakup of Czechoslovakia: An Institutional Analysis," 71. (underline, bold, by this author)

<sup>1001</sup> Ministry of Defence of the Czech Republic, *The Czech Republic and its Armed Forces*, 46-47. See Also Stehlik, *The Heart of the Army: General Staff 1919-2004*, 86.



capabilities. On the basis of the results of this case the null hypothesis in this study can be completely rejected. Furthermore, this explanation provides insight into why there is such disagreement in the academic community as well as why the breakup occurred so rapidly. Until now, there has not been an investigation that approaches the structure of the military as an organization as being a potential cause of the breakup. Only in journals related to military or civil-military affairs is there an indication that this is a possibility. This case should highlight that this approach is a very useful tool. This case also highlights the importance of the act of *decision* to dis-integrate the military of an ASC. An ASC built on the trust of two communities deciding to become brothers-in-arms is just as quickly torn apart when that bond of trust is broken by the decision of one or more communities to create their own separate military force and capability to produce military capabilities.

## **Chapter 5: The case of EU: movement towards defense integration leading to an Amalgamated Security Community**

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### **5-1. Brief Outline of the History of Post WWII European Integration**

As can be inferred from the broad series of theoretical explanations for European integration reviewed in the first chapter this is not a new subject and has an extensive history. The bleeding of Europe in the two World Wars convinced a number of Europeans post World War II to attempt some method to prevent future carnage among the peoples of Europe. Not least among them was Winston Churchill who proposed in a September 1946 speech in Zürich Switzerland to create a “United States of Europe.” Several of the key points of that speech point to the path that Europe has taken: “a partnership between France and Germany”, “a sense of enlarged patriotism and common citizenship”, “Small nations will count as much as large ones”, “we must recreate the European family in a regional structure”, The structure ... will make the material strength of a single State less important”, “the first practical step will be to form a Council of Europe.”<sup>1002</sup>

The first step of European integration was in fact to create the “Council of Europe” (COE) in May 1949 which created the flag and anthem later adopted by the EU as well.<sup>1003</sup> The COE is not the same as the “European Council” which is the intergovernmental executive body of the EU. The COE is an intergovernmental institution focused primarily on human rights, promoting democracy, and the rule of law. During negotiations leading to its creation several states wanted to call it the “European Union.”<sup>1004</sup>

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<sup>1002</sup> European Navigator Digital History Library, “Address given by Winston Churchill on 19 September 1946 in Zurich” (Switzerland) available from, [http://www.ena.lu/address\\_given\\_winston\\_churchill\\_zurich\\_19\\_september\\_1946-020000044.html](http://www.ena.lu/address_given_winston_churchill_zurich_19_september_1946-020000044.html) Internet; accessed 13 August 2009

<sup>1003</sup> Council of Europe Homepage, available from, <http://www.coe.int/> Internet; accessed 13 August 2009

<sup>1004</sup> John McCormick, *The European Union: Policies and Politics* (Boulder, CO.: Westview Press, 1999), 44-46.

The first movement toward creating what would develop into the EU began shortly after the end of World War II when six countries (France, Germany, Italy, Belgium, Luxembourg, and the Netherlands) signed the treaty establishing the European Coal & Steel Community (ECSC) in 1951. The desire of its founders was to economically integrate these basic commodities which are essential for arms production in such a way as to ensure that the nightmare of another European war did not occur. By surrendering a part of their national economic sovereignty to the supranational ECSC, France and Germany could overcome collective action problems based on relative gains concerns regarding industrial production of steel and thereby make optimal use of the material essential to rebuilding both their economies and militaries. The supranational nature of the ECSC would ensure that no state could rearm itself without the consent of the other. The ECSC was a success and it also established the embryonic forms of the EU Commission, Council of Ministers, Parliament, and Court of Justice.<sup>1005</sup> Six years after the establishment of the ECSC, (four years after an attempt to create a European Defense Community and a European Political Community failed) the members decided to extend their integration to all sectors of their economy and created the European Economic Community (EEC-Treaty of Rome 1957) headquartered in Brussels, and a nuclear regulatory body, Euratom. The EEC allowed the free movement of workers, goods and services, as well as the abolition of customs duties on manufactured goods and the creation of common policies on agriculture and commerce. It was not until 1973 that the EEC expanded to include the UK, Ireland, and Denmark. In 1979, in order to stabilize currency exchange rates, a European Monetary System was developed, and Greece joined the EEC in 1981. In 1984 the European Parliament approved a "Draft Treaty establishing the European Union". Although not adopted by the European Council, it influenced the Maastricht Treaty and draft constitution.<sup>1006</sup> In 1986 the EEC adopted the Single European Act which was designed to create a common market among all members; in addition. Spain and Portugal joined the European Community. The Single European Act also added

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<sup>1005</sup> Ibid., 46-51.

<sup>1006</sup> European Parliament *Altiero Spinelli - European Federalist*. available from <http://www.europarl.europa.eu/document/activities/cont/200903/20090316ATT51977/20090316ATT51977EN.pdf> Internet; accessed 19 September 2009

functional jurisdiction for the environment as well as regional policy that included funding for structural and cohesion policies aimed at less developed regions.

The "Maastricht Treaty" is the most important treaty since it created the European Union in 1993. It announces that it is part of the "process of creating an ever closer union among the peoples of Europe".<sup>1007</sup> This treaty confirmed the supranational and federal nature of the EU and established European citizenship, committed the EU to a common currency, a common foreign and security policy, as well as internal security (police) cooperation policies. It also established three categories or "pillars" of EU competency. The first pillar covers most all of the economic and social functions of the EU. The second pillar is a common foreign and security policy (CFSP), while the third pillar covers cooperation in criminal justice and immigration. The Maastricht treaty was controversial due to the sovereignty issues it included, and it took two referendums (as with the Irish and the Nice treaty later in 2002) before Danish voters approved it. The revisions included opt-out provisions used by Denmark and the UK. In 1995 the Schengen Accords went into effect which eliminated all border controls between the member states; also Sweden, Finland, and Austria joined the EU that year.<sup>1008</sup>

The Treaty of Amsterdam in 1997 addressed human rights issues and the possibility of subgroups within the EU to enhance their cooperation even if all of the member states did not wish to participate. The Amsterdam Treaty reinforced basic human rights so that a European Citizen (any one holding citizenship in a member country) is guaranteed the right to: live, work (except in the army, police, and diplomatic corps) and travel anywhere in the EU; to equal treatment in taxation, social rights, welfare benefits, and vocational training; freedom of association and collective bargaining, safe working conditions and health protection, protection of children, the elderly and disabled; to appeal directly to the EU for redress of grievances; to vote and stand for municipal and European elections; to not be discriminated against on the basis of nationality, sex, race, religion, age, and sexual orientation; and

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<sup>1007</sup> "Treaty On European Union," text, available from, <http://eur-lex.europa.eu/en/treaties/dat/11992M/htm/11992M.html> Internet; accessed 13 August 2009

<sup>1008</sup> Pascal Fontaine, *Europe in 10 Points*, European Documentation, European Commission (Luxembourg: Office for Official Publications of the European Communities, 1998).

violations of basic human rights are sanctionable by EU law. This is by no means an exhaustive list but does illustrate the extent to which individual rights were incorporated into EU law.

The treaty of Nice went into force in February of 2003 and began to address the issue of institutional change necessary for the EU to function as it expanded. It removed the right of a member state to veto enhanced cooperation between other member states and established procedures for Council and Commission approval for such cooperation. This allows deepening of integration between those states that desire it without having to wait for a majority of the other states to agree or participate. The treaty of Nice provides for the imposition of sanctions against a Member State (Article 7). A very important part of the treaty is Article 17 dealing with increased security cooperation including the *“progressive framing of a common defense policy, which might lead to a common defense”*. It was this article that created opposition in Ireland as a possible infringement of its traditional neutrality that necessitated a second vote. Article 17 states that any common security and defense policy must be compatible with NATO obligations of member states and points to ‘Petersburg Tasks’ (humanitarian assistance, search and rescue, peacekeeping and peacemaking) as being the focus of a common security and defense policy.<sup>1009</sup>

The Treaty of Nice did not however provide the institutional reform needed as the EU expanded. The EU Council adopted the Laeken Declaration in December 2001 outlining the problems of the EU as an institution to be a start point for the work of institutional reform. First and foremost the document calls for the EU as an institution to be “more democratic, more transparent and more efficient”.<sup>1010</sup> These are key areas in which the EU has faced continual public criticism. There is a perceived democratic deficit in the EU stemming from the weakness of the EU Parliament. The EU Commission and the EU Council are criticized for making decisions in closed door sessions without public involvement. The bureaucracy of the EU in Brussels is often targeted as an example of a micro-managing and inefficient

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<sup>1009</sup> European Union, “The Treaty of Nice.” available from, [http://eur-lex.europa.eu/en/treaties/dat/12001C/htm/C\\_2001080EN.000101.html](http://eur-lex.europa.eu/en/treaties/dat/12001C/htm/C_2001080EN.000101.html) Internet; accessed 12 September 2009

<sup>1010</sup> European Union, “Laeken Declaration Annex 1.,” available from, [http://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/en/ec/68827.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ec/68827.pdf) Internet; accessed 12 September 2009

organization. The basic problems in efficiency however, have more to do with the complex decision making apparatus, and the division of responsibilities and powers between the various institutions that make up the EU. For this reason the Laeken Declaration points out that “the important thing is to clarify, simplify and adjust the division of competence between the Union and the Member States”.<sup>1011</sup> The Laeken Declaration authorized a “Convention on the future of the European Union” designed to move toward a “Constitution for European citizens”.<sup>1012</sup>

The use of a “Constitutional Convention” was itself an attempt to make the process more transparent and open to a wider range of participants rather than just to heads of state and their respective diplomats. The Constitutional Convention lasted from February 2002 to July 2003.<sup>1013</sup> The highlights of the proposed draft Constitution included: a Charter of Fundamental Rights for European citizens; a withdrawal clause for Member States; a President elected for two and a half years eliminating the 6 month rotating Presidency; the head of the Commission would be elected by the European Parliament; the Commission reduced to 15 Commissioners; a Minister for Foreign Affairs as part of the EU Council; seats in the European Parliament distributed on a proportional basis; a revised qualified majority voting system where the majority of the Member States representing three-fifths of the population equal a qualified majority in the Council; and finally the joint adoption of European laws by the EU Parliament and the Council.<sup>1014</sup> These proposals would greatly increase the power of the EU Parliament and streamline the decision-making process. It also proposed several key policy items including;

“- The pillar structure is to be abolished: the second (common foreign and security policy) and third (justice and home affairs) pillars, which were hitherto subject to the intergovernmental method, are brought within the Community framework.

- The common foreign and security policy is strengthened with the creation of a European Minister for Foreign Affairs and the progressive definition of a common defense policy with the

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<sup>1011</sup> Ibid

<sup>1012</sup> Ibid

<sup>1013</sup> European Union, “The Outcome of the European Convention,” available from, [http://europa.eu/scadplus/european\\_convention/introduction\\_en.htm](http://europa.eu/scadplus/european_convention/introduction_en.htm) Internet; accessed 12 September 2009

<sup>1014</sup> Ibid.

creation of a European Armaments Agency and the authorization to initiate enhanced cooperation.<sup>1015</sup>

The significance of these proposals was that the common foreign and security policy (CFSP) would no longer be a matter for decision-making only between states in an intergovernmental process but would be made within the EU that would include input from *all* the EU institutions including the Parliament and Commission. In other words this proposal would mandate an integrated foreign and security policy as well as a common defense policy with the possibility of enhanced (deeper) cooperation between Member States. An Intergovernmental Conference (IGC) from October 2003 to June 2004 revised the proposed draft Constitution and produced a document that signed in Rome on 29 October, 2004 called “A Constitution for Europe.” There were several adjustments to the proposed decision making process; the key one concerned qualified majority voting in the Council. Spain and Poland opposed the new system since they would lose votes and wanted to preserve their relative influence gained from the weighted voting system adopted at Nice. In the end the IGC changed the threshold for a qualified majority to 55% of the Member States representing 65% of the population and a blocking minority must comprise at least four Member States. In addition the IGC did not extend the scope of qualified majority voting to the extent proposed by the Convention (to 20 policy areas). Furthermore, if there is only a narrow voting majority then the minority of states in the Council can request a continuation of discussions. Another adjustment was that the Commission would not be reduced but would consist of one Commissioner from each Member State until 2014 because the small States wanted to be represented. In terms of policy the Constitution did not include the provisions to move CFSP out of the intergovernmental process but kept it in the Council with each Member State having a veto, and the same procedure applied to defense policy. On the other hand Article III-312 of the Constitution allowed for “permanent structured cooperation in the field of security and defense among Member States that fulfill the criteria and have made the

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<sup>1015</sup> Ibid. (underline by this author)

commitments on military capabilities set out in a protocol annexed to the Constitution.”<sup>1016</sup> The European Defense Agency would be established by Article I-41(3).<sup>1017</sup> In the end the Constitution for Europe died when it was rejected by French and Dutch voters with significant majorities on 29 May and 1 June 2005 respectively. The EU enacted a “two year period of reflection” after this collapse of everything they had worked on since the Nice Treaty.

In June 2007 the EU Council decided to try again and called for another IGC to address the issue of institutional reform. This IGC was to prepare a new treaty by the end of 2007 in order for the treaty to be ratified prior to the 2009 EU Parliamentary elections.<sup>1018</sup> This IGC met from July to October 2007. The Treaty of Lisbon (signed on 13 December 2007) kept most of the reforms included in the failed constitution. However, it was not proposed as a constitution because it sought to amend previous treaties not replace them as the constitution would. It was ratified by a majority of EU Member States but Irish voters rejected it in June 2008. Ireland was the only EU Member State to have a popular vote on the Treaty of Lisbon. As in other cases of treaty rejection a way was found for the Irish to get a repeat vote. At the EU summit in June 2009 the Government of Ireland agreed to hold another vote in October 2009 in exchange for “legally binding assurances that the treaty would not undermine its military neutrality or infringe on its right to set taxes and policy on ethical issues such as abortion.”<sup>1019</sup> After approval from Irish voters the Treaty of Lisbon entered into force on 1 December 2009. With the Treaty of Lisbon the EU has adopted most of the reforms contained in the defunct constitution. The key provisions include:

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<sup>1016</sup> European Union, “Article III - Constitution for Europe,” available from, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2004:310:0055:0185:EN:PDF> Internet; accessed 12 September 2009

<sup>1017</sup> “An Agency in the field of defense capabilities development, research, acquisition and armaments (European Defense Agency) shall be established to identify operational requirements, to promote measures to satisfy those requirements, to contribute to identifying and, where appropriate, implementing any measure needed to strengthen the industrial and technological base of the defense sector, to participate in defining a European capabilities and armaments policy, and to assist the Council in evaluating the improvement of military capabilities.” European Union, “Article I - Constitution for Europe,” available from, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2004:310:0011:0040:EN:PDF> Internet; accessed 12 September 2009

<sup>1018</sup> Council of the EU – Treaty Reform Process, p.2, available from, [http://www.consilium.europa.eu/ueDocs/cms\\_Data/docs/pressData/en/ec/94932.pdf](http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/ec/94932.pdf) Internet; accessed 12 September 2009

<sup>1019</sup> “Back to the Ballot Box,” available from, [http://ec.europa.eu/news/eu\\_explained/090619\\_en.htm](http://ec.europa.eu/news/eu_explained/090619_en.htm) Internet; accessed 18 September 2009



- A permanent full-time President of the European Council with a two and a half year term that can be renewed once. Former Belgian Prime Minister Herman Van Rompuy became the first President of the European Council on 1 December 2009.
- A High Representative of the European Union for Foreign Affairs and Security Policy responsible for steering foreign policy and common defense policy.
- A new European External Action Service to support the High Representative for Foreign Affairs and Security Policy.
- Qualified majority voting in the Council with the previous system remaining through 2014.
- The EU Parliament has the power of co-decision with the Council extended into forty policy areas making it essentially equal regarding the passage of legislation.
- Member states now have a legal right to withdraw from the European Union.
- A new role for national parliaments to examine draft European legislation and the national parliaments can take legislation to the European Court of Justice.<sup>1020</sup>

The reform not adopted by the Treaty of Lisbon of interest to this paper is that the CFSP and defense policy will remain subject to the intergovernmental process rather than being fully integrated within the EU. On the other hand Article 42 paragraph 2 of The Lisbon Treaty states:

“The common security and defence policy shall include the progressive framing of a common Union defence policy. This will lead to a common defence, when the European Council, acting unanimously, so decides. It shall in that case recommend to the Member States the adoption of such a decision in accordance with their respective constitutional requirements.”<sup>1021</sup>

This is a modification of the proposed wording which adds a caveat that a common defense will be based on a *unanimous* Council decision. This does not mean however, that movement toward integration must wait for a final unanimous Council decision. Several other items in the Lisbon Treaty indicate that movement toward integration is ongoing and encouraged. First the scope and range of the Petersberg Tasks has been expanded. Second, the provision on ‘Permanent Structured Cooperation in Defense,’ first proposed during the Constitutional Convention as a method for more advanced members to move ahead with cooperation on sophisticated defense programs, has been modified to be a more inclusive instrument that is trying to incorporate as many member states as possible. Permanent Structured Cooperation in

<sup>1020</sup> General Secretariat of the Council of the EU; “Information Note: Treaty of Lisbon, December 2009.” available from, [http://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/en/ec/111652.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ec/111652.pdf) Internet; accessed 6 October 2010. See Also; European Parliament, “10 things about the Lisbon treaty you should know.” available from, <http://www.europarl.europa.eu/sides/getDoc.do?language=EN&type=IM-PRESS&reference=20091009STO62247> Internet; accessed 6 October 2010.

<sup>1021</sup> “Consolidated Version of The Treaty on European Union.” English, 30.3.2010 Official Journal of the European Union available from, <http://eur-ex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2010:083:0013:0046:EN:PDF> Internet; accessed 6 October 2010. (underline by this author)

Defense as set up in the Lisbon Treaty establishes criteria for participation and will for the first time have participating states enter into binding commitments in the area of defense to be monitored by the European Defense Agency which would assess their performance on an annual basis.<sup>1022</sup> So although defense policy is subject to intergovernmental procedures there is significant movement in terms of merging defense and foreign policy at the EU level. It is also most impressive that when viewed over the long term, the process of European integration continued (albeit in fits and starts) despite the many pronouncements by its critics that it would fail or come unglued.

## **5-2. The EU as a Government**

The “theory” or more accurately the description of governance that most closely reflects what is found in the EU is “Multilevel Governance.” This Public Administration approach was created in response to the developments in the EU after the Maastricht Treaty. Multilevel Governance creates conceptual space for EU policy and activities to be more than just intergovernmental agreements but the result of a wide range of political actors in a context that is similar to domestic politics within a state.<sup>1023</sup>

The EU by appearance is a government with federal characteristics because it is a supranational organization with sovereignty in those areas in which it has jurisdiction (which have greatly increased over time), and whose regulations supersede national laws in those areas. The Court of Justice of the EU is the key institution in this regard. There are few policy areas in which EU national member governments can issue regulations without having to ensure that their domestic laws are in compliance with EU provisions. Article 5 of the Treaty of Rome explicitly obligates member states to comply with EEC (EU) law and to refrain from adopting measures interfering with the purpose and or the effect of EU law.<sup>1024</sup> This independent and supreme judiciary provides a method of enforcement to ensure compliance

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<sup>1022</sup> European Union Institute for Security Studies, ISS Opinion, *Permanent Structured Cooperation: In Defense of the Obvious*, by Sven Biscop and Jo Coelmont, June 2010. available from, [http://www.iss.europa.eu/uploads/media/Permanent\\_structured\\_cooperation\\_01.pdf](http://www.iss.europa.eu/uploads/media/Permanent_structured_cooperation_01.pdf) Internet; accessed 6 October 2010.

<sup>1023</sup> Liesbet Hooghe and Gary Marks, “Contending Models of Governance in the European Union,” in *Europe’s Ambiguous Unity*, eds., Alan Cafruny and Carl Lankowski (Boulder, CO.: Lynne Rienner Publishers, 1997), 23.

<sup>1024</sup> “Treaty of Rome.” available from, <http://www.eurotreaties.com/rometreaty.pdf> Internet; accessed 5 September 2009.

by all parties. The Court of Justice of the European Union is an EU institution, not an intergovernmental one, comprised of judges from member states that serve six year terms. The Court of Justice ruled in 1963 that treaty provisions could be self executing, and that the EU (EEC at the time) constituted a new legal order that the member states had created by limiting their sovereignty in certain areas for the benefit of all. This new legal order counted not only among member states but also extended to the citizens of the member states. In 1964 the Court ruled that EU law should prevail when national laws are contrary to EU law. This ruling established EU legal supremacy over national law, requiring member states national judges to interpret laws so that they are in compliance with EU provisions. It has therefore established not only the supremacy of EU law, but its own right of judicial review.<sup>1025</sup> It acts to ensure compliance by EU institutions with treaty provisions, often ruling on the legality of national regulations and decisions, and annulling those contrary to EU treaty provisions.

The EU also considers itself to be composed of citizens that have legal recourse through EU law. The Maastricht treaty created a "European Citizenship", and the Amsterdam Treaty enumerated basic human rights. The Lisbon Treaty reinforced citizen's rights by granting the Charter of Fundamental Rights the same binding legal status as the founding treaties. This mandates that EU institutions respect citizens' civil, political, and economic rights. The Lisbon Treaty also added to EU citizens' rights by including a provision for citizens' to submit petitions that would have the Commission submit a proposal based on that petition in any area of EU competence; this includes the repeal of legislation as well.<sup>1026</sup> Citizens of the member states have legal standing and can sue EU institutions, businesses, and member states governments in those areas in which the EU has jurisdiction. A high profile case brought by an individual regarding worker rights, resulted in a ruling that the German Military had to open all jobs to

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<sup>1025</sup> McCormick, *The European Union: Policies and Politics*, 157-171.

<sup>1026</sup> General Secretariat of the Council of the EU; "Information Note: Treaty of Lisbon, December 2009." available from, [http://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/en/ec/111652.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ec/111652.pdf) Internet; accessed 6 October 2010. See Also; European Parliament. "10 things about the Lisbon treaty you should know." available from, <http://www.europarl.europa.eu/sides/getDoc.do?language=EN&type=IM-PRESS&reference=20091009STO62247> Internet; accessed 6 October 2010.

women if they met the requirements for that job. This demonstrates the power of legal supremacy when the EU can determine how a member state recruits its military (a foundation of national sovereignty).

Another critical aspect in the functioning of the EU system related to the supremacy of EU law is the role of the Court of Justice in the expansion of jurisdiction and accumulation of power at the EU federal level. In creating a common market it has been involved in regulating interstate commerce from its inception. It has functioned as an independent and activist court, pursuing policy goals that have strengthened the EU federal government as well as expanding EU jurisdiction based on its charter to create a common market. The EU has not only harmonized customs duties, VAT taxes, regulations governing professions, and product standards but also areas of social concern such as environmental policy, education, health (including drug addiction), culture, youth and consumer protection. Moreover, with the free flow of goods and people (especially after the Schengen Accords went into effect) the EU has taken on responsibilities in law enforcement, immigration, asylum, organized crime, human rights, and border controls. It is the incorporation of these typically national and non-economic policy areas that strengthens the federal character of the EU.<sup>1027</sup> This court, more than any other organ in the EU, is what gives the EU its supranational character. Furthermore, as it cannot be undone without destroying the EU itself, it will continue to promote EU integration on this functional basis.

The European Central Bank (ECB) has had a significant effect on EU integration. The right to print money is a virtual *sine qua non* of a sovereign state. The ECB is the key component of a common currency, because it sets monetary policy for the Euro. The countries that adopted the common currency freely gave up control of monetary policy, and therefore a significant part of their economic sovereignty to the ECB. This European Monetary Union is a continuation of the vision of its founding proponents for “an ever closer political union” and at one point was described by Helmut Kohl as a matter of “war and peace”, not economic necessity.<sup>1028</sup> The binding effect of the common currency administered by the ECB

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<sup>1027</sup> Elies Steyger, *Europe and its Members: A Constitutional Approach* (Brookfield, USA,: Dartmouth Publishing Group, 1995), 21-22.

<sup>1028</sup> "The main begetters of EMU a decade ago were President Francois Mitterand of France; Chancellor Helmut Kohl of Germany; and Jacques Delors, president of the European Commission. They saw it as a means to bind

limits the ability of anti-federal elements to reduce the centralization of power in the EU since no state can be the master of its economic destiny outside of the EU without significant costs.

The EU has other federal governmental structures. The European Parliament and the EU Commission are federal legislative and executive structures. The Parliament is elected every five years by direct universal suffrage and seated by party affiliation not by state of origin. The EU Parliament started as a very weak consultative body, but has gained powers over time. Currently the Parliament is co-equal with the Council in the legislative process able to amend or reject proposed legislation. There are still some policy areas (e.g., taxation, foreign policy and defense) where the Council retains primacy, and where decisions require unanimous consent, but it must consult Parliament. It is co-equal in terms of budgetary powers with the Council, and has gone as far as rejecting budgets in the past to influence policy. It sets the rules for its elections, and votes on the agenda set forth by the Commission twice a year. Finally, it has the power to approve the appointment of the President of the Commission and pass a motion of censure by a two - thirds majority to force the Commission to resign. This power forced a resignation-in-mass of the entire commission in 2000 before the Parliament passed a motion of censure.

"Prior to this if a Commissioner was called to present an issue to the Parliament or one of its committees, and the Commissioner had a prior engagement he would send a deputy. Now when they are called they respond. Power has shifted from the Commission to the favor of Parliament".<sup>1029</sup>

This indicates a balancing of powers between the various institutional branches of the EU. The Treaty of Lisbon makes co-decision with the Council the 'ordinary legislative procedure' by extending the EU Parliament's jurisdiction to about forty policy areas, of which the new areas of justice and home affairs are the most important, but there remain areas where the Council has primacy. This makes the EU

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Europeans more closely together. They believed that it would strengthen the supranational institutions of the European Union. Indeed, it was precisely this potential for political transformation that made monetary union attractive. Economic gains were a secondary consideration: they appeared relatively small, if they could be calculated reliably at all. Nobody pretended that a system of national currencies was provoking widespread dissatisfaction." "Euro Brief: The Power of Eleven," *Economist*, 5 December 1998. p. 97.

<sup>1029</sup> Former EU Commissioner Renee Haferkamp, interview by author, 30 November 2000, from notes taken at the University of Kansas.

Parliament almost a co-equal institution to the Council. It also adds a role for National Parliaments working with the EU Parliament to impact EU Legislation.<sup>1030</sup>

The Commission and its staff work for the EU not the Member States. The European Commission is the executive branch of the EU and enjoys a great deal of independence. Commissioners are appointed by member states for five year terms, but as Commissioners they do not represent their national governments. The Commission is responsible for negotiating treaties with third countries, managing the EU budget, and ensuring implementation of EU legislation. It has standing with the Court of Justice to bring cases to ensure EU law and the various treaties are being enforced, and has significant power in the conduct of common EU policies. The most important federal aspect of the Commission is in its sole power to initiate legislation and intervene at any point in the legislative process.<sup>1031</sup>

The Council of Ministers and the European Council are primarily intergovernmental in nature. The Council of Ministers is the intergovernmental executive that meets according to functional area of responsibility. The minister in attendance depends on the policy area under discussion (e.g. all Transportation Ministers). The Council enacts EU legislation as a shared function with the European Parliament. It also shares control over the budget with the Parliament. In this regard it can be thought of as an upper chamber of the EU legislature where members directly represent their national governments. The Council must approve international agreements negotiated by the EU Commission. The European Council is composed of the President of the Commission and the Heads of Government with the Foreign Ministers of all Member States. It meets twice a year, and is the forum for the launch of new political initiatives and resolution of political conflicts. The Treaty of Lisbon significantly changed the Council by providing for a permanent full-time President replacing the rotating six month presidency held by member states. The President of the Council may not hold national office. The president chairs the Council and

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<sup>1030</sup> General Secretariat of the Council of the EU; “Information Note: Treaty of Lisbon, December 2009.” available from, [http://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/en/ec/111652.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ec/111652.pdf) Internet; accessed 6 October 2010. See Also; European Parliament. “10 things about the Lisbon treaty you should know.” available from, <http://www.europarl.europa.eu/sides/getDoc.do?language=EN&type=IM-PRESS&reference=20091009STO62247> Internet; accessed 6 October 2010.

<sup>1031</sup> Steyger, *Europe and its Members: A Constitutional Approach*, 5-6.

presents a report to the EU Parliament after each Council meeting. He also represents the EU at the level of Heads of State or Government.<sup>1032</sup>

There is a federal aspect to the Council. The Council when it approves legislation can do so with a qualified majority which means it has the ability to force states to accept EU legislation against their will. This power still excludes policy areas in which states have the right to "opt out". The Treaty of Lisbon incorporates a change to qualified majority voting that is described as 'double majority voting'. After November 2014 'double majority voting' becomes the procedure to be used in the Council. For a measure to pass it must receive the votes of at least 55 percent of the EU Member States (currently 15 out of 27), and those Member States must represent at least 65 % of the population of the EU. Conversely to block a measure there must be at least four Member States in opposition.<sup>1033</sup>

Besides creating the position of Permanent President of the Council, the Treaty of Lisbon created the position of High Representative of the European Union for Foreign Affairs and Security Policy. This position has three functions. First, the High Representative for Foreign Affairs and Security Policy chairs the EU Foreign Affairs Council (the Council meeting with all the Foreign Affairs Ministers) and conducts the Union's common foreign and security policy. The High Representative is involved in negotiations representing the EU at the ministerial level or in international organizations. Second, the High Representative for Foreign Affairs and Security Policy is a Vice-President of the Commission which was done to ensure consistency and coordination of EU foreign policy across all areas where the EU has jurisdiction. Third, it is responsible for steering the Common Foreign and Security Policy (CFSP) which includes taking over the functions previously the responsibility of Javier Solana (Head of the CFSP, all aspects of the Common Security and Defense Policy (CSDP) e.g. Head of the European Defense Agency (EDA) and all other Defense organizations Satellite Center, Defense Institute, etc...) as well as exercising

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<sup>1032</sup> General Secretariat of the Council of the EU; *President of the European Council* available from, [http://www.consilium.europa.eu/uedocs/cmsUpload/Background-President\\_of\\_the\\_EC\\_EN.pdf](http://www.consilium.europa.eu/uedocs/cmsUpload/Background-President_of_the_EC_EN.pdf) Internet; accessed 6 October 2010.

<sup>1033</sup> General Secretariat of the Council of the EU; "Information Note: Treaty of Lisbon, December 2009." available from, [http://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/en/ec/111652.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ec/111652.pdf) Internet; accessed 6 October 2010. Note: until 2017 a Member State can request the current weighted voting system be used for a particular issue.

authority over the newly created European External Action Service (EEAS) and over EU diplomatic delegations in third countries and international organizations.<sup>1034</sup>

The Treaty of Lisbon creates a consolidated federal EU diplomatic agency to support the High Representative for Foreign Affairs and Security Policy. The European External Action Service (EEAS) consolidates the parts of the Council and Commission that deal with foreign and defense policy. The EEAS not only helps to ensure that EU foreign policy is coordinated and consistent by working with the foreign ministries of the member states but also prepares policy proposals and implements them once approved by the EU Council. It is staffed with personnel from the Council and the Commission, as well as staff seconded from national diplomatic services. Organizationally it has; several geographic directorates along with multilateral and thematic desks, an administrative directorate, and a crisis management and planning directorate. This directorate will include the EU Military Staff and the EU Situation Centre as well as the civilian capabilities planning staff.<sup>1035</sup> The creation of the High Representative for Foreign Affairs and Security Policy and the EEAS is a major consolidation of foreign and defense policy at the EU level.

The EU fulfills the definitional requirements as a voluntarily formed government for the existence of an Amalgamated Security Community. In fact the EU governmental structures are stronger than is the case in several other examples of Amalgamated Security Communities. Furthermore, the governmental aspect of the EU not only has increased over time but is continuing to expand.

### **5-3. Historical Origins of ESDI: WEU & NATO**

Since its operational capability and assets are now subsumed into the EU, a look at the history of the WEU can offer insight into the origins of ESDI. There is a tremendous amount of literature,

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<sup>1034</sup> General Secretariat of the Council of the EU; *High Representative of the European Union for Foreign Affairs and Security Policy*. available from, [http://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/en/ec/111301.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ec/111301.pdf) Internet; accessed 6 October 2010.

<sup>1035</sup> "Council Decision establishing the organization and functioning of the European External Action Service. Brussels, 20 July 2010." available from, <http://register.consilium.europa.eu/pdf/en/10/st11/st11665-re01.en10.pdf> Internet; accessed 6 October 2010. See Also; General Secretariat of the Council of the EU; *High Representative of the European Union for Foreign Affairs and Security Policy*. available from, [http://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/en/ec/111301.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ec/111301.pdf) Internet; accessed 6 October 2010.



reporting, and research considering US policy and its reactions to the development of ESDI and its relationship with NATO. Although important, it is tangential to the argument of this paper and will not be addressed. The WEU was created in March 1948, (prior to NATO in April 1949) with the purpose to join the UK, France, and the Benelux into a formal mutual defense treaty whose obligations were more proscriptive (it mandates a military response to an attack whereas NATO members can take action as they deem necessary) than NATO's Article V.<sup>1036</sup> The WEU played an important role in the re-integration of Italy and Germany into European collective defense when those states joined it in May 1955<sup>1037</sup>. Though created prior to NATO it was later superseded by it due to its inherent inability to offer the same level of security as an alliance that included one of the two superpowers. The WEU was reactivated in 1984 after many years, primarily as an effort by France to compete with NATO. The reinvigorated WEU championed greater cooperation in European security and defense issues. The critical proclamation is found in the "Platform on European Security Interests" adopted by the WEU Ministerial Council on 27 October 1987; also known as the Hague Platform. The WEU Hague Platform is a decision taken prior to end of the Cold War and the adoption of the Maastricht Treaty creating the EU. The Hague Platform preamble states that:

"We recall our commitment to build a European Union in accordance with the Single European Act, which we all signed as Members of the European Community. We are convinced that the construction of an integrated Europe will remain incomplete as long as it does not include security and defense."<sup>1038</sup>

The decision to announce that Europe's integration would never be complete as long as it did not include security and defense is the decision that determined the path followed by the Europeans. In 1987

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<sup>1036</sup> "If any of the High Contracting Parties should be the object of an armed attack in Europe, the other High Contracting Parties will, in accordance with the provisions of Article 51 of the Charter of the United Nations, afford the Party so attacked *all military and other aid and assistance in their power.*" (Article V Modified Brussels Treaty) "The Parties agree that an armed attack against one or more of them in Europe or North America shall be considered an attack against them all and consequently they agree that, if such an armed attack occurs, each of them, in exercise of the right of individual or collective self-defense recognized by Article 51 of the Charter of the United Nations, will assist the Party or Parties so attacked by taking forthwith, individually and in concert with the other Parties, *such action as it deems necessary, including the use of armed force*, to restore and maintain the security of the North Atlantic area." (Article V The North Atlantic Treaty)

<sup>1037</sup> Alfred Cahen, *The Western European Union and NATO* (London: Brassey's, 1989), 1-5.

<sup>1038</sup> Western European Union, *WEU History; Reactivation of WEU: from the Rome Declaration to the Hague Platform (1984-1989)* available from, <http://www.weu.int/History.htm> Internet; accessed 10 December 2008. (underline by author)

the WEU resolved to strengthen the European alliance and added several new members over the next few years to the point where in 1991 the WEU invited all the countries that were European members of NATO to be associate members of the WEU. After 1987 the WEU engaged in several very limited operations and tried to build its military organization and capabilities.<sup>1039</sup> It developed a satellite imagery center, an institute for security studies, a planning cell, the Western European Armaments Group (WEAG) and the West European Armaments Organization (WEAO). The WEAO and WEAG were attempts to harmonize and increase European cooperation in the defense industry. In addition the WEU was allocated for planning a limited set of forces that member countries pledged to contribute when necessary, the most prominent being the EUROCORPS, EUROFOR, and EUROMARFOR (a multinational heavy land Corps, a multinational light division, and a multinational naval force in the Mediterranean) these so called “forces answerable to the WEU” gave it the *potential* to engage in a contingency operation.

The 1992 Petersburg Declaration outlines the "Petersburg Tasks" that the WEU believed it should be able to conduct such as humanitarian and rescue operations, peace keeping and peace making, and crisis management (non-Article 5 tasks). The importance of this development was that national defense remained tied to NATO for the Europeans but limited military missions short of war were the real focus of action envisaged for non-NATO WEU lead operations. In 1993 the Maastricht Treaty that created the European Union designated the WEU as the agency that would implement decisions it might take related to defense. In 1997 the Amsterdam Treaty revised the treaty on European Union and incorporated the Petersburg Tasks into the EU treaty while also tightening the relationship between the EU and the WEU. As part of the Maastricht Treaty the WEU was to strengthen the "European Pillar" of the Atlantic Alliance by developing a ESDI and increasing the military capabilities of the WEU so that it could fulfill that function. In order to increase the military capabilities of the WEU beyond the modest contributions

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<sup>1039</sup> (Persian Gulf minesweeping 1987-1988, Yugoslavia embargo monitoring in the Adriatic Sea and on the Danube 1993-1996, a Police contingent for the EU Administration of Mostar 1995-1996, a Police advisory element in Albania 1997-2001, a Demining Assistance Mission in Croatia 1999-2001, and WEU Satellite Centre security surveillance mission of Kosovo 1998-1999) *WEU History; Reactivation of WEU*: available from, <http://www.weu.int/History.htm> Internet; accessed 10 December 2008.

of its members, it turned to NATO. After the Alliance Summit in 1994 NATO agreed to two key items. The first was that NATO agreed to make the collective assets of the alliance available to the WEU with the approval of the North Atlantic Council. The second item was the Combined Joint Task Force (CJTF) concept, which adapted the alliance's structures to new missions and improved cooperation with the WEU by providing a mechanism for the WEU to use NATO assets and capabilities. The CJTF is a method where a sub-headquarters of NATO or the WEU set up a multinational (or combined) military force to conduct a specific operation. In this way the European members of NATO could use NATO assets even though the entire alliance is not involved. In terms of a public goods perspective, the Europeans by using a CJTF for an operation would not have to pay twice for the same type of defense goods.

Two other NATO meetings; the Berlin NAC in 1996, and the Washington Summit in 1999 were critical in the continuing development of the WEU / NATO partnership. The 'Berlin plus' agreement resulting from these two meetings assured the WEU access to NATO planning capabilities, other pre-identified NATO capabilities and assets, and an adaptation of NATO's Defense Planning System. By 1997 the WEU was providing input to the NATO defense planning process. NATO completed its work in the areas of CJTF and the development of agreements to facilitate its partnership with the WEU, to include the Deputy Supreme Allied Commander Europe (DSACEUR) who is a European, being designated as the primary commander of any WEU led CJTF type mission. The organizational arrangements between NATO and the WEU were in place by 1999 and were tested during a joint crisis management exercise in February 2000.<sup>1040</sup>

At the last WEU Council meeting in Marseille in November 2000 it was decided to transfer all operational capability and assets to the EU. Javier Solana, previously Secretary General of NATO and the head of the EU CFSP was named the WEU Secretary-General to facilitate the transfer. The WEU did

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<sup>1040</sup> NATO Handbook, Sections; NATO-WEU Cooperation. available from, <http://www.nato.int/docu/handbook/2001/hb0402.htm>, Internet; accessed 5 June 2009. See Also; "The Washington Summit." available from, <http://www.nato.int/docu/handbook/2001/hb010303.htm>, Internet; accessed 5 June 2009. See Also; "NATO's relations with the European Union." available from, <http://www.nato.int/issues/nato-eu/index.html> Internet; accessed 5 June 2009.

not disappear in one very important aspect; the modified Brussels Treaty with its proscriptive Article V security guarantee requiring military assistance in case of an attack remained in force, but the adoption of the Lisbon Treaty in December 2009 which contains a mutual defense clause, most likely will be seen as having superseded the modified Brussels Treaty.

#### **5-4. The EU and ESDI**

It was a meeting in December 1998 between Tony Blair and Jacques Chirac at St. Malo that changed the development of the European Security and Defense Identity from being a WEU to an EU undertaking. British policy had long prevented significant military capability from being included as part of the EU, partly out of practical views about NATO and the futility of the EU trying to duplicate it as well as an opposition to French policy. The UK conducted a Strategic Defense Review in 1998 that recognized the need for transformed forces able to rapidly deploy in support of Petersburg tasks.<sup>1041</sup> Tony Blair noted in an EU Summit in Austria in October 1998 that the EU CFSP was weak, confusing, unacceptable, and must be reformed either within NATO or by bringing the WEU into the EU.<sup>1042</sup> The UK also agreed in November 1998 to the creation of an EU Arms Agency which gave another indication that its views on EU defense were changing.<sup>1043</sup> The 4 December 1998 joint British and French declaration on European defense announced at St. Malo really was a crucial change that moved defense issues squarely into the EU's policy arena and signaled the end of the WEU as the vehicle for European military integration. The St. Malo declaration specifically stated that:

“the Union must have the capacity for autonomous action, backed up by credible military forces, the means to decide to use them and a readiness to do so, in order to respond to international crises.”<sup>1044</sup>

The next step in developing ESDI under the aegis of the EU was taken a year later at the Helsinki European Council summit in December 1999. The EU adopted a “Headline Goal Task Force” as a target

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<sup>1041</sup> UK Ministry of Defense, *Policy Paper No 3. European Defence*, (London: DCCS Media, 2001).

<sup>1042</sup> Margarita Mathiopoulos and István Gyarmati, “Saint Malo and Beyond: Toward European Defense,” *The Washington Quarterly* (Autumn 1999): 65.

<sup>1043</sup> “European Allies Agree to Create Arms Agency,” *Washington Times*, November 17, 1998, p.14

<sup>1044</sup> “Franco-British summit Joint declaration on European defense, Saint-Malo, 4 December 1998.” available from, <http://www.atlanticcommunity.org/Saint-Malo%20Declaration%20Text.html> Internet; accessed 5 December 2008.

to guide the development of the EU's defense capability. The "Headline Goal Task Force" was an agreement to create a force of between 50,000 to 60,000 soldiers able to deploy within 60 days, be sustained for a year, and able to conduct the full spectrum of Petersburg tasks by 2003.<sup>1045</sup> The EU Council also decided to develop several other defense agencies including a Political and Security Committee, a Military Committee and a Military Staff, and by November 2000 a conference had been held to identify forces to meet the Headline Goal.<sup>1046</sup> In addition it was decided to add 5,000 police officers to better deal with missions dealing with conflict prevention, rule of law assistance, and crisis management operations that fit within the scope of those envisioned by the Petersberg Tasks.<sup>1047</sup>

ESDI completely transitioned from the WEU to the EU with the Nice Treaty. There were several major outcomes resulting from the Nice Treaty related to ESDI.<sup>1048</sup> EU crisis management would incorporate military and non-military tools in the entire spectrum of Petersberg tasks, but the EU would only act militarily when NATO as a whole does not chose to act. NATO is recognized in the treaty as the collective defense organization for Europe. There are also very important organizational structures that were built in the EU to link its CFSP to its new role in formulating a European Security and Defense Policy (ESDP) within ESDI. These structures include; a Political and Security Committee (which is subordinate to the General Affairs Council which in turn is subordinate to the European Council) that has oversight of a Committee for Civilian Aspects of Crisis Management, and an EU Military Committee which is supported by an EU Military Staff. What is significant is that this organization roughly parallels the structure of NATO. The European Council is at the same level as NATO's North Atlantic Council (NAC) when it is meeting at the President/PM level, most of its membership being the same people. The same is true for the General Affairs Council which is equal to the NAC meeting at minister level. The

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<sup>1045</sup> UK Ministry of Defense, *Policy Paper No 3. European Defence*, (London: DCCS Media, 2001).

<sup>1046</sup> Martin Richard, *The EU-NATO Relationship: A Legal and Political Perspective* (Burlington, VT.: Ashgate Publishing Ltd., 2006), 67.

<sup>1047</sup> "Presidency Conclusions; Santa Maria da Feira European Council 19 and 20 June 2000," available from, <http://europa.eu/rapid/pressReleasesAction.do?reference=PRES/00/2000&format=HTML&aged=0&language=EN&guiLanguage=en> Internet; accessed 5 September 2009.

<sup>1048</sup> "Nice Treaty, Article 17." available from, [http://eur-lex.europa.eu/en/treaties/dat/12001C/htm/C\\_2001080EN.000101.html](http://eur-lex.europa.eu/en/treaties/dat/12001C/htm/C_2001080EN.000101.html) Internet; accessed 5 September 2009.

Political and Security Committee is at the same level as the NAC meeting at the permanent ambassador level, while the Military Committee is the same as the NATO Military Committee that is composed of the various Chiefs of Defense of the member countries, and again its members are mostly the same Generals. Only the Military Staffs of the two organizations are completely distinct.<sup>1049</sup> NATO and the EU are both based in Brussels, which facilitates this dual membership situation. By January 2001 the relationship between the EU and NATO began to be formalized with exchanges of memorandums outlining their scope of cooperation and the beginnings of regular meetings by various EU agencies with their NATO counterparts.<sup>1050</sup> The relationship between the EU and NATO was also greatly enhanced by having Javier Solana, the former Secretary General of NATO, as the head of the EU CFSP as well as the Secretary General of the WEU during the transition of its operational functions to the EU.<sup>1051</sup> At the November 2002 NATO Prague Summit, NATO reaffirmed its commitments made at the Washington Summit (to the WEU) to the EU thereby giving the “EU access to NATO assets and capabilities for operations in which the Alliance is not engaged militarily.”<sup>1052</sup> This was quickly followed by the December 2002 NATO-EU Declaration on ESDP that lays out the parameters for increasing cooperation. Joint meetings now are a regular occurrence and both organizations have established permanent liaison elements at each other’s headquarters.<sup>1053</sup> Future cooperation will include adapting to the new EU institutions created by the Lisbon Treaty.

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<sup>1049</sup> UK Ministry of Defense, *Policy Paper No 3*. European Defence, (London: DCCS Media, 2001), p. 7

<sup>1050</sup> “NATO’s relations with the European Union,” available from, <http://www.nato.int/issues/nato-eu/index.html>, Internet; accessed 5 September 2009. See Also; “Cooperation with NATO,” available from, [http://europa.eu/legislation\\_summaries/foreign\\_and\\_security\\_policy/cfsp\\_and\\_esdp\\_implementation/133243\\_en.htm](http://europa.eu/legislation_summaries/foreign_and_security_policy/cfsp_and_esdp_implementation/133243_en.htm) Internet; accessed 5 September 2009.

<sup>1051</sup> Ryan C. Hendrickson, Jonathan R. Strand and Kyle L. Raney, “Operation Artemis and Javier Solana: EU Prospects for a Stronger Common Foreign and Security Policy”, *Canadian Military Journal*. available from, <http://www.journal.dnd.ca/vo8/no1/hendrick-eng.asp> Internet; accessed 5 September 2009.

<sup>1052</sup> *Prague Summit Declaration*, available from, <http://www.nato.int/docu/pr/2002/p02-127e.htm>, Internet; accessed 5 September 2009. See Also; “NATO’s relations with the European Union,” available from, <http://www.nato.int/issues/nato-eu/index.html> Internet; accessed 5 September 2009.

<sup>1053</sup> Ibid. “A NATO Permanent Liaison Team has been operating at the EU Military Staff since November 2005 and an EU Cell was set up at SHAPE (NATO’s strategic command for operations in Mons, Belgium) in March 2006.” See Also; “Cooperation with NATO,” available from, [http://europa.eu/legislation\\_summaries/foreign\\_and\\_security\\_policy/cfsp\\_and\\_esdp\\_implementation/133243\\_en.htm](http://europa.eu/legislation_summaries/foreign_and_security_policy/cfsp_and_esdp_implementation/133243_en.htm) Internet; accessed 5 September 2009.

The close cooperation with NATO led to the EU undertaking several operations; initially beginning in Bosnia in 2003 with an EU police mission, and then in December 2004 NATO SFOR transitioned its mission to the EUFOR Operation ALTHEA. ALTHEA began with 7000 troops but has been reduced to only about 2200 currently.<sup>1054</sup> EUFOR Operation ALTHEA is composed of an International Police Unit, Liaison Observer Teams spread throughout BiH, and a Multinational Maneuver Battalion. The Multinational Maneuver Battalion has four companies and about 526 soldiers.<sup>1055</sup> A small (about 200 people) ongoing deployment was authorized by the EU at the request of the Republic of Moldova and the Ukraine to assist with border and customs enforcement in 2005.<sup>1056</sup> Another small deployment is an EU Police Mission in Afghanistan (EUPOL Afghanistan) of again about 200 people that began in June 2007. There is a military advisory mission in the Republic of Guinea-Bissau authorized in 2008<sup>1057</sup> as well as an effort to train Iraqi police, judges and prison guards in adopting western notions and practices of rule of law (training conducted in EU countries not deployed in country).<sup>1058</sup> The largest and most extensive deployments undertaken under the aegis of the EU outside of Europe have been in the Democratic Republic of Congo. The first was Operation ARTEMIS undertaken in 2003 and led by the French with support of Germany, Sweden, UK, and Belgium that included over 1800 troops and was successful in restoring stability to the targeted region.<sup>1059</sup> EUPOL Kinshasa provided a police mission

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<sup>1054</sup> “European Union missions in Bosnia-Herzegovina.” available from, [http://europa.eu/legislation\\_summaries/foreign\\_and\\_security\\_policy/cfsp\\_and\\_esdp\\_implementation/ps0008\\_en.htm](http://europa.eu/legislation_summaries/foreign_and_security_policy/cfsp_and_esdp_implementation/ps0008_en.htm) Internet; accessed 5 September 2009. See Also; EUFOR ALTHEA home page available from, <http://www.euforbih.org/eufor/> Internet; accessed 5 September 2009.

<sup>1055</sup> “EUFOR ALTHEA Multinational Maneuver Battalion (MNB).” available from, [http://www.euforbih.org/eufor/index.php?option=com\\_content&task=view&id=17&Itemid=34&phpMyAdmin=019629bc83f1ec8240c5704e7cb8127b](http://www.euforbih.org/eufor/index.php?option=com_content&task=view&id=17&Itemid=34&phpMyAdmin=019629bc83f1ec8240c5704e7cb8127b) Internet; accessed 5 September 2009.

<sup>1056</sup> “European Border Assistance Mission.” available from, [http://europa.eu/legislation\\_summaries/foreign\\_and\\_security\\_policy/cfsp\\_and\\_esdp\\_implementation/ps0002\\_en.htm](http://europa.eu/legislation_summaries/foreign_and_security_policy/cfsp_and_esdp_implementation/ps0002_en.htm) Internet; accessed 5 September 2009.

<sup>1057</sup> “Mission in support of Security Sector Reform in Guinea-Bissau.” available from, [http://europa.eu/legislation\\_summaries/foreign\\_and\\_security\\_policy/cfsp\\_and\\_esdp\\_implementation/ps0001\\_en.htm](http://europa.eu/legislation_summaries/foreign_and_security_policy/cfsp_and_esdp_implementation/ps0001_en.htm) Internet; accessed 5 September 2009.

<sup>1058</sup> “Iraq: Integrated Rule of Law Mission.” available from, [http://europa.eu/legislation\\_summaries/foreign\\_and\\_security\\_policy/cfsp\\_and\\_esdp\\_implementation/ps0003\\_en.htm](http://europa.eu/legislation_summaries/foreign_and_security_policy/cfsp_and_esdp_implementation/ps0003_en.htm) Internet; accessed 5 September 2009.

<sup>1059</sup> Richard, *The EU-NATO Relationship: A Legal and Political Perspective*, 265. See Also; Ryan C. Hendrickson, Jonathan R. Strand and Kyle L. Raney, “Operation Artemis and Javier Solana: EU Prospects for a Stronger



from 2005 to 2007 in the capital which was expanded to EUPOL DR Congo of some 50 people to train national police through 2009. In 2006 responding to a UN request to provide elections security a 4 month deployment was conducted called EUFOR RD CONGO. Germany provided the Operation's HQ based in Kinshasa (several hundred troops) and had a battalion worth of combat troops also on call in Gabon.<sup>1060</sup> Another major EU deployment of about 3,700 soldiers in Africa (Eastern Chad and North East part of the Central African Republic) called EUFOR Tchad/RCA, was conducted from January 2008 to March 2009. The mission was to protect and maintain order in the Darfur refugee camps and has been taken over by a UN force. This mission had the most EU Member State participants (22) of any mission to date.<sup>1061</sup> There is also an ongoing advisor mission of sixty people focused on reforming the Congolese Army called EUSEC DR Congo.<sup>1062</sup> The EU is conducting its first naval mission currently off the coast of Somalia. EU NAVFOR - Operation ATALANTA is a task force of about 15 frigates and support vessels (provided by the Netherlands, Spain, Germany, France, Greece, Norway, Italy, and Sweden) with a mission to protect World Food Program vessels delivering aid to Somalia from pirates as well as to assist other trade vessels moving through the area from pirates as well.<sup>1063</sup>

Despite these EU Operations which do demonstrate some operational capability,<sup>1064</sup> the ability to meet the Helsinki Headline goal of having a deployable Corps sized element of 50,000 to 60,000 troops was not met. The solution to provide smaller more rapidly deployable forces of 1500 troops was called

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Common Foreign and Security Policy", *Canadian Military Journal*. available from, <http://www.journal.dnd.ca/vo8/no1/hendrick-eng.asp> Internet; accessed 5 September 2009.

<sup>1060</sup> "Presentation by Javier Solana, EU High Representative for the CFSP, on the Democratic Republic of Congo / EUFOR." New York, 9 January 2007. available from, [http://www.consilium.europa.eu/uedocs/cms\\_Data/docs/pressdata/EN/discours/92360.pdf](http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/EN/discours/92360.pdf) Internet; accessed 5 September 2009. See Also: "EU military operation in support of the MONUC during the election process in RD Congo." available from, [http://www.consilium.europa.eu/uedocs/cms\\_Data/docs/pressData/en/esdp/89995.pdf](http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressData/en/esdp/89995.pdf) Internet; accessed 5 September 2009.

<sup>1061</sup> "EUFOR TCHAD/RCA Factsheet." available from, [http://www.consilium.europa.eu/uedocs/cmsUpload/Final\\_FACTSHEET\\_EUFOR\\_TCHAD-RCA-version9\\_EN.pdf](http://www.consilium.europa.eu/uedocs/cmsUpload/Final_FACTSHEET_EUFOR_TCHAD-RCA-version9_EN.pdf) Internet; accessed 5 September 2009.

<sup>1062</sup> "EU Missions in the Democratic Republic of the Congo." available from, [http://europa.eu/legislation\\_summaries/foreign\\_and\\_security\\_policy/cfsp\\_and\\_esdp\\_implementation/ps0005\\_en.htm](http://europa.eu/legislation_summaries/foreign_and_security_policy/cfsp_and_esdp_implementation/ps0005_en.htm) Internet; accessed 5 September 2009.

<sup>1063</sup> ESDP Newsletter #8, Summer 2009 available from, [http://www.iss.europa.eu/uploads/media/ESDP\\_Newsletter\\_008.pdf](http://www.iss.europa.eu/uploads/media/ESDP_Newsletter_008.pdf) Internet; accessed 5 September 2009.

<sup>1064</sup> A consolidated overview of EU operations over time can be found at; CSDP MAP » Chart of CSDP and EU Missions. available from, <http://www.csdpmap.eu/mission.html> Internet; accessed 1 November 2010



the Battlegroup concept and was based on the success of Operation ARTEMIS which used a lead nation framework to produce a rapidly deployable capability. The concept was adopted quickly. The UK, France, and Germany issued a “food for thought paper” in February 2004 outlining the concept. By April a meeting of EU Defense ministers called for creating several Battlegroups by 2007, and in June 2004 the EU Military Committee approved creating EU Battlegroups, and they were formally included in the Headline Goal 2010. Finally in November 2004 thirteen Battlegroups were agreed to at a Military Capabilities Conference.<sup>1065</sup> EU Battlegroups became operational in 2007, with 2 being on call for a year’s duration. They are deployable within 5-10 days for a period of 30 days which can be extended to 120 days. They can be formed by a lead nation or from a multinational grouping.<sup>1066</sup> The response to the Battlegroup initiative has been positive with 2 annual rotations being filled from 2007 through 2010.<sup>1067</sup> Although this is a limited capability, it does provide the EU with a basis to work from should a need arise to use military force.

As the EU developed its capabilities it also adopted an EU Security Strategy in December 2003 as a guiding document that outlined the threats to the EU, the EU’s strategic objectives, and policies that would be necessary to accomplish these objectives.<sup>1068</sup> The EU has also created or incorporated a number of organizations to assist in implementing ESDI of which several were noted before such as the EU Military Staff, the Military Committee and the Political and Security Committee. Other organizations were integrated from the WEU including the Satellite Center and the Institute for Security Studies. Additional organizations were created such as the European Security and Defense College which provides

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<sup>1065</sup> Gustav Lindstrom, *Enter the EU Battlegroups*, Chaillot Paper - n°97, EU Institute for Security Studies, February 2007. available from, <http://www.iss.europa.eu/uploads/media/cp097.pdf> Internet; accessed 5 September 2009.

<sup>1066</sup> EU Council Secretariat Factsheet: “EU Battlegroups 2006.” available from, [http://www.consilium.europa.eu/ueDocs/cms\\_Data/docs/pressData/en/esdp/91624.pdf](http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/esdp/91624.pdf) Internet; accessed 5 September 2009.

<sup>1067</sup> Juha Kaitera and Guy Ben-Ari, *EU Battlegroups and the NATO Response Force: A Marriage of Convenience?* Center for International Strategic Studies, Europe Program, April 2008. available from, [http://csis.org/files/media/csis/pubs/eurofocus\\_v14n01.pdf](http://csis.org/files/media/csis/pubs/eurofocus_v14n01.pdf) Internet; accessed 5 September 2009.

<sup>1068</sup> “European Security Strategy.” available from, [http://europa.eu/legislation\\_summaries/foreign\\_and\\_security\\_policy/cfsp\\_and\\_esdp\\_implementation/r00004\\_en.htm](http://europa.eu/legislation_summaries/foreign_and_security_policy/cfsp_and_esdp_implementation/r00004_en.htm) Internet; accessed 5 September 2009.

strategic level training for civilians as well as military personnel, and most significantly the European Defense Agency.<sup>1069</sup>

Finally, the EU in 2004 established a method to fund its various military operations called Athena. Athena is controlled by a special committee composed of a representative from each participating member state who must approve the budget for the operation. It is managed by an administrator appointed by the Secretary-General of the Council of the EU who in conjunction with the operational commander drafts the budget presented to the special committee. There is also an accounting officer who manages the finances of the operation once the budget is approved. Funds are generated by contributions from each participating member state in accordance with their GNP. This is in accordance with the funding method outlined for the EU in Article 28 of the Maastricht Treaty (The GNP amount is revised during each year's budget cycle and the contributions would be based on the previous year's budget calculations). The type of operational costs that are the responsibility of Athena during an operation includes: for Headquarters units - exploratory missions and preparations, local civilian personnel (interpreters and drivers), incremental costs required for strategic, operational, force and component HQs, Transport costs, Administration, Barracks and lodging/infrastructure, and Public information; for the entire force – Public works for deployment/infrastructure (joint use facilities such as airports, harbors, roads/railways, water/sewage, electric power, storage facilities, etc.), Identification marking (cards, badges, flags), Medical services, and intelligence/information; for the Operation Commander when requested - Essential additional equipment and critical theatre-level capabilities such as chemical, biological or nuclear protection.<sup>1070</sup> This list is important because it indicates that for an EU operation the EU funds in common most if not all of what are the service and support functions for the

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<sup>1069</sup> European Security and Defence College (ESDC), available from, [http://europa.eu/legislation\\_summaries/foreign\\_and\\_security\\_policy/cfsp\\_and\\_esdp\\_implementation/r00003\\_en.htm](http://europa.eu/legislation_summaries/foreign_and_security_policy/cfsp_and_esdp_implementation/r00003_en.htm) Internet; accessed 5 September 2009. See Also; European Security and Defence College homepage, available from, <http://esdc.mil-edu.be/index.php/home> Internet; accessed 5 October 2010.

<sup>1070</sup> "COUNCIL DECISION 2008/975/CFSP." available from, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:345:0096:0114:EN:PDF> Internet; accessed 5 September 2009. See also; The mechanism for financing military operations (Athena) available from, [http://europa.eu/legislation\\_summaries/foreign\\_and\\_security\\_policy/cfsp\\_and\\_esdp\\_implementation/133281\\_en.htm](http://europa.eu/legislation_summaries/foreign_and_security_policy/cfsp_and_esdp_implementation/133281_en.htm) Internet; accessed 5 September 2009.

entire force during an operation. The Treaty of Lisbon introduces a new "start up fund" to be created according to the Athena process outlined above, that will allow rapid access to funds for tasks not charged to the EU budget dealing with crisis management.<sup>1071</sup>

The Treaty of Lisbon significantly enhances EU structures dealing with the Common Foreign and Security Policy (CFSP) by making the Common Security and Defense Policy (CSDP) an integral part of the CFSP which codifies all of the developments since 1999 into the EU treaty. The new structures created by the treaty have already been noted but several other points should be noted. The previous list of possible EU missions known as the 'Petersberg Tasks' has been expanded by the Lisbon Treaty (Article 43(1) TEU) significantly to include the task of 'peacemaking' (which is a more robust combat mission than peacekeeping) and fighting against terrorism.<sup>1072</sup> Another very important part of the treaty is the inclusion of an explicit mutual security guarantee in Article 42(7) which states:

"If a Member State is the victim of armed aggression on its territory, the other Member States shall have towards it an obligation of aid and assistance by all the means in their power, in accordance with Article 51 of the United Nations Charter. This shall not prejudice the specific character of the security and defence policy of certain Member States. Commitments and cooperation in this area shall be consistent with commitments under the North Atlantic Treaty Organization, which, for those States which are members of it, remains the foundation of their collective defence and the forum for its implementation."<sup>1073</sup>

The Lisbon Treaty also establishes guidelines for 'permanent structured cooperation' in defense in Article 46 and a separate Protocol that will be touched on below.

## **5-5. European Defense Cooperation**

Not only does the post World War II desire for closer European defense cooperation have a long history (European Defense Community (EDC 1954), Fouchet plan 1961-1962, Elysée Treaty 1963) but there is a great deal of actual defense cooperation that has developed. NATO is the key impetus to a great deal of this and it is worth noting some of the ways in which NATO has engendered cooperation,

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<sup>1071</sup> EU Parliament, "The Lisbon Treaty and its Implications for CFSP / CSDP." available from, [http://www.europarl.europa.eu/meetdocs/2009\\_2014/documents/afet/dv/201/201009/20100928lisbontreaty\\_cfsp-csdp\\_en.pdf](http://www.europarl.europa.eu/meetdocs/2009_2014/documents/afet/dv/201/201009/20100928lisbontreaty_cfsp-csdp_en.pdf) Internet; accessed 5 October 2010

<sup>1072</sup> "Consolidated Version of the Treaty on European Union." available from, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2010:083:0013:0046:EN:PDF> Internet; accessed 5 October 2010

<sup>1073</sup> Ibid.

commonality, and interoperability because these are crucial first steps to any eventual movement towards integration.

The first facet of cooperation is based on the unique integrated command structure of NATO. This integrated command structure not only puts officers of various nations working together in numerous Headquarters across Europe it requires a common command and control, communications, intelligence, and operational doctrine be used for planning and operations. Officers learn to work in a multinational environment. Commonality in NATO includes things like orders which have a prescribed format as do communications even down to the use of a phonetic alphabet. These are based on NATO Standardization Agreements called STANAGs developed by the NATO Standardization Agency and adopted by the alliance members. This is the second aspect of NATO engendered cooperation which deals with interoperability. To achieve interoperability common military equipment is not what is required but rather that the equipment of various NATO members can use common facilities, common fuel, common ammunition, and can communicate with each other's equipment. STANAGs are the method used to achieve this. These agreements cover almost every area of military equipment and logistics, as well as doctrine and tactics. For example STANAGs regulate the caliber of ammunition fired from rifles, artillery, and tanks as well as the types of fuel used in vehicles and aircraft. This allows forces from one country to use the ammunition and fuel from another country in an emergency or for single source logistics provided by one country during a deployment. Maps used by NATO all have common symbols and markings. These are only a few examples; there are over a thousand STANAGs that when viewed as a body of regulation reduces duplication and allows combining of resources among NATO members. Another key component of standardization is language. NATO has two official languages, French and English, but English is the standard language used for military operations (in large part due to the French withdrawal from the integrated command structure in 1966)<sup>1074</sup>

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<sup>1074</sup> "Interoperability for Joint Operations." available from, <http://www.nato.int/docu/interoperability/interoperability.pdf> Internet; accessed 5 September 2009.

The third aspect of cooperation fostered by NATO is the creation of multinational forces. These are composed of units from several member countries, and have been part of NATO since 1960. These include multinational land forces (Corps, Divisions, and Brigades) as well as air and naval forces. In 1980 the creation of NATO's Airborne Warning and Control System (AWACS) squadrons was the first use of an internationally crewed unit at the individual level. In 2003 NATO created a Multinational Chemical, Biological, Radiological and Nuclear Defense Battalion which is a similar high skill, high tech, and high demand force on the ground.<sup>1075</sup>

A critical aspect of European Defense cooperation is the trust built among alliance members over decades of joint planning, training and exercises during the Cold War as well as operations in the Balkans and Afghanistan that put their militaries to the test in operational situations. European NATO members are habituated to not only working with each other but on depending on each other for their joint defense. An example of continuing cooperation is the European Air Group that was created in 1995 based on the collaboration of the UK and French air forces in Desert Storm and operations in the Balkans. The European Air Group has seven participating members (UK, France, Italy, Belgium, Germany, Netherlands, and Spain) that cooperate in to improve the tactical capabilities of their air forces.<sup>1076</sup>

A less well known but important aspect of European Defense Cooperation taken under the aegis of NATO was the Eurogroup. The Eurogroup was an informal grouping of European NATO members (Belgium, Denmark, Germany, Greece, Italy, Luxembourg, Netherlands, Norway, Portugal, Turkey, and the UK.) that met twice a year at the Defense Minister level to set policy. The head of the group rotated among the members and there were ad hoc meetings of the members Permanent Representatives to NATO as well as a Staff Group composed of the Defense Counselors from the member delegations at NATO HQ. Although it was an "informal" grouping it had staff support from the UK delegation to NATO. The Eurogroup was a UK initiative created in 1968 following the Soviet invasion of Czechoslovakia "responding to a widespread desire for closer European cooperation within the

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<sup>1075</sup> Ibid.

<sup>1076</sup> "History of the EAG." available from, <http://www.euroairgroup.org/history.htm> Internet; accessed 5 September 2009.

Alliance.”<sup>1077</sup> In order to foster greater European defense cooperation the Eurogroup created seven subgroups: EURONAD a grouping of National Armaments Directors to encourage joint defense equipment procurement; EUROLONGTERM which was to develop operational concepts that then drive the specifications for new equipment; EUROCOM to develop communications systems; EUROMED to develop close cooperation in military medicine; EUROLOG to develop closer cooperation in logistics, EURO/NATO TRAINING to develop joint training and schools, and EUROSTRUCTURE to exchange information on organization issues such as recruitment, mobilization, and organization structure of units.<sup>1078</sup> The Eurogroup last met at the Defense Minister level in 1992 and was dissolved in 1993 as the Maastricht Treaty went into effect and European defense cooperation shifted to the WEU as the agent of the EU in matters related to defense.

Obviously NATO has fostered standardization and procurement of some similar equipment across the alliance. There are tangible examples of European Defense cooperation in the realm of defense equipment / arms production and procurement. The arena of arms production and associated technologies are key symbols of national sovereignty as well as relative gains concerns that tend to limit cooperation. The Europeans have overcome these barriers to cooperation and indeed have achieved cooperation in equipment and arms production not seen in other regions. Again the development of cooperation in this area is not new but has a history; even back to the founding of the ECSC when the basic material for armaments is considered. The concept for a European Armaments Agency was included in the failed EDC and migrated as a concept to the Independent European Program Group (IEPG) created in 1976 by the Eurogroup (an informal grouping under NATO) as a stimulus for armaments cooperation.<sup>1079</sup> The IEPG however, had only opened between 10 to 20 percent of the West European arms market to

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<sup>1077</sup> *The Eurogroup* (Brussels, Belgium: Published by the Eurogroup and issued by the NATO Information Service, 1978), 9. See also; *European Defence: 12 Years of the Eurogroup*, U.S. Department of State Pamphlet, 1980.

<sup>1078</sup> Ibid.

<sup>1079</sup> “Western European Armaments Group.” available from, <http://www.weu.int/weag/weag.htm> Internet; accessed 8 September 2009.

cooperation by 1992.<sup>1080</sup> In 1992 the functions of the IEPG (a NATO affiliated organization) were transferred to the WEU.<sup>1081</sup> The desire for Europe wide armaments cooperation led to the creation of the WEU Armaments Committee and more importantly the Western European Armaments Group WEAG (focused on opening national defense markets to Europe wide competition) and the Western European Armaments Organization WEAO (which focused on defense research and technology).<sup>1082</sup> The problem however was that despite the Single European Act of 1986 creating a single market for almost everything else, Article 296 of the Rome Treaty gives member states an opt out for defense related items.<sup>1083</sup> In addition some states such as Germany were reluctant to do away with these provisions since a truly open market in arms would favor the UK and France.<sup>1084</sup> This does not mean that cooperation in European defense equipment / arms production and procurement did not progress. In addition to licensed production agreements (which are not truly cooperatively created, although they do contribute to standardization) there are a significant number of jointly produced cooperative programs that were developed. Among these were the: Tornado multirole Fighter Aircraft (UK, Germany, Italy); FH-70 155mm Howitzer (UK, Germany); Roland surface to air missile, Milan and HOT anti-tank missiles, Alpha Jet trainer aircraft, Tiger helicopter (France, Germany); and the in production Eurofighter Typhoon (UK, Germany, Italy, Spain). These joint ventures and transnational collaborations did not require states or the various national defense companies to give up control of their national domestic arms market. Through the mid-1990s European states were not amenable to allowing “foreign” ownership of their domestic defense firms or of giving up their controlling interests in those companies. They had obvious anxiety regarding the possible attenuation of their sovereignty as well as political backlash from workers who would loose jobs during mergers. The various national defense firms were also not eager to merge

<sup>1080</sup> Hussein Kassim and Anand Menon, eds., *The European Union and National Industrial Policy* (New York: Routledge, 1996), 97.

<sup>1081</sup> “Western European Armaments Group.” available from, <http://www.weu.int/weag/weag.htm> Internet; accessed 8 September 2009.

<sup>1082</sup> Ibid. See Also; WEAO Research Cell. available from, <http://www.weao.weu.int/site/index.php> Internet; accessed 8 September 2009.

<sup>1083</sup> Treaty of Rome Article 296 (b): “Any Member State may take such measures as it considers necessary for the protection of the essential interests of its security which are connected with the production of or trade in arms, munitions and war material;”

<sup>1084</sup> Kassim and Menon, eds., *The European Union and National Industrial Policy*, 97.

and abandon their 'privileged' status within their respective national markets for the uncertainties of multinational competition.<sup>1085</sup>

Although the systems listed above are tangible examples of cooperative defense equipment and arms production development and procurement, there was a clear desire to see an actual European Defense Industry take shape. This began to develop post Cold War in response to declining defense budgets and defense industry consolidation in the US which threatened to make national armaments producers in Europe unviable.<sup>1086</sup> There was a consolidation of the European Defense Industry just like in the US. There are several key consolidated companies that now dominate the European arms market and are significant competitors in the global arms market as well. The largest in Europe is BAE Systems (British Aerospace Electronic Systems) which was formed in 1999 with the merger of British Aerospace and Marconi Electronic Systems. Although BAE Systems was formed from British companies it is not just another national defense company but rather a multinational giant. It acquired various Swedish and US firms, and has partnership interests in the Eurofighter, the Gripen fighter (Saab), the European missile systems company MBDA and produces land, sea, and air systems with associated training and maintenance in Europe and North America.<sup>1087</sup> The other defense giant in Europe is the European Aeronautic Defense and Space Company (EADS) which is the third largest aerospace company in the world (after Boeing and Lockheed Martin). EADS includes Airbus Military aircraft, Eurocopter, and space ventures such as the Ariane rocket and Galileo Global Positioning System. EADS is a partner in the Eurofighter, as well as a partner in the European missile systems company MBDA. EADS is also involved in training, logistics and technical support activities as well as modernization of a variety of

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<sup>1085</sup> Terrence Guay and Robert Callum, "The Transformation and Future Prospects of Europe's Defence Industry". *International Affairs* 78, no. 4, (2002), 757-758.

<sup>1086</sup> "The consequence for the European Defense Industrial Technical Base (DITB) is that it can survive only through a collective European decision in favor of its integration and hence to a more effective financing of it." Alessandro Politi, "On the Necessity of a European Defense Industry," in *European Security*, eds., von Bredow, Jager, and Kummel, (New York: St. Martin's Press, 1997), 103.

<sup>1087</sup> BAE Systems. available from, <http://www.baesystems.com/index.htm> Internet; accessed 8 September 2009.



aircraft.<sup>1088</sup> THALES Group is the third largest multinational defense company in Europe which began as a French company. MBDA deserves special mention as the “first truly integrated pan-European European defence company with a single unified management and operating structure.”<sup>1089</sup> MBDA was created in December 2001 by the merger of the missile sections of EADS, BAE Systems, and Finmeccanica. It produces missiles for land, naval, and air forces.<sup>1090</sup> Terrence Guay and Robert Callum described the transformation of the European Defense Industry:

“In just over a decade this sector has transformed itself from a collection of medium-sized, nationally orientated firms to one dominated by two giants, with several smaller firms closely linked to these leaders.”<sup>1091</sup>

Significantly they point out that the EU had a hand in fostering the consolidation of the European Defense Industry. The economic success of creating the common market and adoption of the Euro along with policies developed by the Commission that covered dual use products helped make consolidation more palatable. Although limited by Article 223 of the Treaty of Rome from directly regulating the defense industry, the Commission and Parliament were pushing for greater EU involvement in the defense industry by 1994.<sup>1092</sup> Guay and Callum note that while economic integration helped, it was the inclusion of CFSP as the second pillar of the Maastricht Treaty and the development of ESDI that really gave defense industrial consolidation the political cover it needed to proceed.<sup>1093</sup>

The consolidation of the European Defense Industry has occurred primarily among European companies and not between European companies and those outside of Europe.<sup>1094</sup> While this trend makes Europe less dependent on outside sources of defense equipment and armaments, it does make them very much reliant on each other, or more importantly, on the European defense market as a whole. Budget

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<sup>1088</sup> EADS. available from, <http://www.eads.com/1024/en/Homepage1024.html> Internet; accessed 8 September 2009.

<sup>1089</sup> EADS Defence & Security. available from, <http://www.eads.com/1024/en/businet/defence/defence.html>. See Also; MBDA [http://www.mbda-systems.com/mbda/site/ref/scripts/EN\\_At-a-glance\\_33.html](http://www.mbda-systems.com/mbda/site/ref/scripts/EN_At-a-glance_33.html) Internet; accessed 8 September 2009.

<sup>1090</sup> MBDA. available from, [http://www.mbda-systems.com/mbda/site/ref/scripts/EN\\_At-a-glance\\_33.html](http://www.mbda-systems.com/mbda/site/ref/scripts/EN_At-a-glance_33.html) Internet; accessed 8 September 2009.

<sup>1091</sup> Guay and Callum, “The Transformation and Future Prospects of Europe’s Defence Industry,” 757-758.

<sup>1092</sup> Ibid., 767.

<sup>1093</sup> Ibid., 768.

<sup>1094</sup> Seth Jones, *The Rise of European Security Cooperation* (New York: Cambridge University Press, 2007), 137.

pressures have an impact as well on EU Member States becoming more reliant on each other and willing to increase their mutual defense cooperation. As reported in chapter one (for 2005 to 2007), while Europe had a larger overall GDP and greater governmental spending, their defense spending was less than half that of the US, and that defense spending as a percentage of GDP continued on a downward spiral. EDA data that compares the levels of defense investment year to year within Europe for 2005 to 2007 again shows a continual decrease in Research and Development, and a slight increase in spending which is less than the rate of inflation so that in budget terms the spending was flat.<sup>1095</sup> The Europeans themselves understand that they have structural inefficiencies that add to the problem of efficient generation of military capabilities. Redundant national training facilities and schools, duplication of infrastructure and support elements, as well as maintaining a large proportion of their forces that are non-deployable all add to inefficiencies and wasted monies. For example, duplicate tank schools, artillery schools, flight schools etc... all require staff, facilities, supplies, and an operating budget while all performing the same task with a small number of students. Lord Robertson the former Secretary General of NATO clearly identified the result of the inefficiencies following the poor showing of European forces in Kosovo as he prodded the Europeans to support the NATO Defense Capabilities Initiative (DCI).

“This is not purely an issue of finding new money for defence. It is about getting a good return on investment -- literally "getting more bang for your buck". Today, the European Allies spend about 60% of what the United States spends on defence, but nobody would suggest that the European Allies have 60% of the capability.”<sup>1096</sup>

In the end the Europeans did not support the DCI nor did they reach their Helsinki Headline Goal.

European defense spending does not appear to have any prospect of increasing in the foreseeable future especially in light of the largest recession since the Great Depression; in fact it is very likely that even less will be spent. This increasing budget pressure is forcing EU Member States to pool resources or forgo capabilities and rely on other EU states to provide them. This trend was reinforced at the 2002 NATO

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<sup>1095</sup> EDA Defence Data. available from, <http://www.eda.europa.eu/defencefacts/> Internet; accessed 8 September 2009. See Appendix I page 462 of this study.

<sup>1096</sup> "New Security and Defence Challenges in the Euro-Atlantic Area," Speech by the Rt. Hon. Lord Robertson, Secretary General of NATO, 10 May 2001. available from, <http://www.nato.int/docu/speech/2001/s010510a.htm> Internet; accessed 8 September 2009.

Summit in Prague. There NATO agreed to what was called the Prague Capabilities Commitment.<sup>1097</sup>

This attempt to improve allied capabilities was different in that it focused on those areas that the Europeans were severely lacking vs. US capabilities rather than trying to get the allies to improve capabilities in general. These focused capabilities were in the following areas; deployability and mobility, sustainability and logistics, survivability, targeting, command and control, and what were called Niche capabilities.<sup>1098</sup> The idea behind Niche capabilities is that smaller states should forgo general defense capabilities and forces in favor of providing specialized capabilities. While this may be advantageous to the alliance the flip side of this is that those states that adopt this path may decide to entrust the defense of their country to others. By forgoing general defense capabilities these states would become integrated and dependent on their partners. With the increasing pressure of declining budgets more states are forgoing capabilities and becoming more dependent and integrated in terms of defense with their European neighbors. The most recent and clear example is the enhanced cooperation and limited integration in some support areas announced by the UK and France on 2 November 2010 that will be discussed below.

## **5-6. Movement to Integration**

Seth Jones in “The Rise of European Security Cooperation” finds that there has been a significant increase in post Cold War European cooperation in the area of defense. There has been an increase in defense industry cooperation, in the creation of military structures, and in multinational forces. If that were all the evidence then the EU would certainly be a ‘tightly coupled’ Pluralistic Security Community. However, there is additional evidence and it involves a move toward integration as some aspects of

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<sup>1097</sup> Prague Capabilities Commitment. available from, [http://www.nato.int/cps/en/SID-38020F1A-CF2CA8E/natolive/topics\\_50087.htm](http://www.nato.int/cps/en/SID-38020F1A-CF2CA8E/natolive/topics_50087.htm) Internet; accessed 8 September 2009.

<sup>1098</sup> “Not all members need to have the same capabilities. As part of a larger alliance, it is possible, and in fact preferable, that smaller Allies concentrate on particular capabilities that are often in high demand. This makes both fiscal and strategic sense. The smaller Allies cannot be expected to develop large expeditionary forces, but they should be encouraged to develop deployable units in particular high-demand areas. The same amount of money, for example, could be used to purchase a few fighter aircraft or maintain a state-of-the-art brigade specializing in chemical and biological protection or emergency medical care. But it is clear that in today's strategic environment a specialized brigade will be far more useful in the Alliance's missions than a few additional fighters.” NATO Parliamentary Assembly 170 DSCTC 05 E – “Progress on the Prague Capability Commitments.” available from, <http://www.nato-pa.int/default.Asp?SHORTCUT=684> Internet; accessed 8 September 2009.

European security are integrated already and additional elements become integrated in the future. Integrated means that there is one whole element, not reducible to component parts without the destruction of that element, which is different from cooperative, combined, or joint elements that can be broken down into the original constituent parts without the destruction of those parts. In addition a state that forgoes providing for its general defense but rather makes a specialized contribution to an integrated common defense (e.g. by providing a niche capability) and relies on other states to protect it is at least partly integrated into that common defense as well as having given up a significant part of its sovereignty. This is because even though that specialized capability can be returned to the state that provided it, defection from the integrated common defense arrangement destroys the common defense and its protection for that state.

The first aspect of integration is found in the organizations developed to support ESDP such as the Political and Security Committee, the Military Committee, and the EU Military Staff. In addition since January 2007 there has existed an on call capability for an EU Operations Centre to be activated. This permanent facility is located in Brussels and has the necessary equipment for 89 officers and civilians. It is normally staffed by a cadre of 8 officers and has the required secure communications to military headquarters as well as to the EU organizations.<sup>1099</sup> In addition there have been five EU military command post exercises to test planning and command and control of an EU military operation. The last one was MILEX 10 in June 2010.<sup>1100</sup> There is a secure communications network called EU Operations Wide Area Network (EU OPS WAN) that already exists and connects all of the institutions in Brussels

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<sup>1099</sup> The EU Operations Centre. available from, [http://www.consilium.europa.eu/uedocs/cmsUpload/070228-EU\\_OpsCentre.pdf](http://www.consilium.europa.eu/uedocs/cmsUpload/070228-EU_OpsCentre.pdf) Internet; accessed 9 September 2009.

<sup>1100</sup> EU Military Exercise 2010 (MILEX 10). available from, [http://www.consilium.europa.eu/uedocs/cms\\_Data/docs/pressdata/en/esdp/115159.pdf](http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/en/esdp/115159.pdf) Internet; accessed 1 November 2010. Note; The first Military Exercise (MILEX 05) was conducted in November 2005, the second MILEX 07 including the first activation of the EU OpsCentre in Brussels was conducted in June 2007, the third Military Exercise (MILEX 08) was conducted in June 2008 and the fourth in June 2009.

and the various EU Force Headquarters.<sup>1101</sup> The new organizations created by the Lisbon Treaty, particularly the EEAS, will play a significant part in further centralizing the ESDP.

The European Defense Industry has undergone a significant restructuring that has virtually eliminated national defense firms and markets in favor of large multinational firms that are the most efficient at servicing the entire European defense market. The problem in creating a truly integrated defense market is the legal opt out contained in Article 296 of the Rome Treaty. The Commission investigated the use of this provision and in 2004 published its findings that found widespread abuse. Instead of being used in exceptional cases it was being used by Member States to exclude almost all defense contracts from EU trade regulations. The European Defense Agency (EDA) gets around this problem by having “participating member states” who voluntarily agree to have the EDA promote a common defense market among them. The EDA was created in July 2004 by a vote of the Council of Ministers before the rejection of the EU Constitution. In April 2005 The EDA Steering Committee decided to absorb the activities of both the WEAG and the WEAO.<sup>1102</sup> By November 2005 the EU Defense Ministers had approved a Code of Conduct on Defense Procurement that was to be applied to purchases of defense equipment when Article 296 of the EC Treaty would normally apply. This formed the basis of the voluntary ‘Intergovernmental Regime to Encourage Competition in the European Defense Equipment Market’ that went into effect in July 2006. It was started with 22 participating Member States and now includes 25 Member States and Norway (Denmark does not participate).<sup>1103</sup> The participating members realized that in order to keep a competitive Defense Industrial and Technical Base in Europe they would have to create an internally open European defense market. Since part of this process would be ensuring that all of the members would benefit, smaller firms are encouraged to become subcontractors

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<sup>1101</sup> “Council conclusions on ESDP.” May 2009. available from, [http://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/en/esdp/107909.pdf](http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/esdp/107909.pdf) Internet; accessed 9 September 2009. See also; EU Parliament, “The Battle Groups: Catalyst For a European Defence Policy.” available from, <http://www.frstrategie.org/barreCompetences/securiteEuropeenne/doc/BattleGroup1500.pdf> Internet; accessed 9 September 2009.

<sup>1102</sup> EDA, “European Defence Agency Steering Board Agrees Transfer of WEAG/WEAO Activities to EDA.” available from, <http://www.eda.europa.eu/genericitem.aspx?area=2&id=15> Internet; accessed 10 September 2009.

<sup>1103</sup> EDA, “Intergovernmental Regime to Encourage Competition in the European Defence Equipment Market.” available from, <http://www.eda.europa.eu/genericitem.aspx?id=153> Internet; accessed 10 September 2009.

to larger firms in the more open market. A voluntary ‘Code of Best Practice in the Supply Chain’ was adopted to foster transparency, fair competition and increased opportunities for all firms providing defense related material; especially for small and medium-sized firms.<sup>1104</sup> An ‘Electronic Bulletin Board’, managed by the EDA, was created in July 2006 and assists firms throughout Europe in bidding on contracts posted by participating members. The EDA also has a monitoring capability to ensure compliance with agreed to practices.

These were important efforts that helped to begin the creation of an integrated defense market, but the next steps taken in September 2006 were vital. The EDA approved both ‘Security of Supply’, and ‘Security of Information’, agreements that truly impacted the market. The Security of Supply agreement commits participating Member States to do everything within their power to assist another Member State in times of emergency, crisis, or war to obtain defense material goods and services from their suppliers, expedite transit, and even to provide supplies from their own stocks.<sup>1105</sup> This agreement addresses a prime concern of a state that if it depends on external suppliers of defense goods that they might be vulnerable to being cut off in time of conflict. If the supply of defense items is guaranteed in time of conflict then the state could rely on external suppliers. This in turn is vital to creating an integrated defense market. The agreement on Security of Information is critical because the defense market is unique in the realm of classified government information, in addition to commercially sensitive information, that is above that found in regular proprietary secrets common in most industries. In the Security of Information agreement, participating Member States are guaranteed that their classified government information will be protected and in return they will not discriminate against external firms and that defense firms’ commercially sensitive information will be protected by the Member States. Furthermore they agree to use EU Council security regulations for the protection of classified information when a bilateral agreement is not appropriate and to use the EDA’s ‘Common Minimum Standards on

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<sup>1104</sup> EDA, “The Code of Best Practice in the Supply Chain.” available from, <http://www.eda.europa.eu/genericitem.aspx?area=Organisation&id=159> Internet; accessed 10 September 2009.

<sup>1105</sup> EDA, “Framework Arrangement for Security of Supply Between Subscribing Member States (sMS) in Circumstance of Operational Urgency.” available from, <http://www.eda.europa.eu/genericitem.aspx?area=Reference&id=163> Internet; accessed 10 September 2009.

Industrial Security’ for their own procurement.<sup>1106</sup> There are several key points to this, one of which is the extent to which technical military relative gains concerns among participating states are almost completely expunged by this agreement. Second, the use of EDA and EU Council security regulations indicates the extent to which the EU as an entity has entered into the most intimate part of a state’s sovereignty; the realm of regulating classified defense secrets. Finally, the Security of Information agreement opens the defense market to firms in East European Member States that would not have been able to compete because of Cold War era regulations.

Besides the significance of the Code of Conduct, the Code of Best Practice in the Supply Chain, Security of Supply, and Security of Information agreements in fostering a European Defense Market, there is more to the EDA and it is worthwhile to look at the organization and functions of the EDA.<sup>1107</sup> The EDA has a Steering Committee made up of the Defense Ministers of the participating Member States and the EU Commission, with the High Representative for Foreign Affairs and Security Policy as the head of the agency and Chairman of the Steering Committee. The organization of the EDA is important because it ties in with the four functions given to it by the EU Council. These functions are to; develop defense capabilities, promote defense research and technology, promote armaments cooperation, and to create a competitive European Defense Equipment Market while strengthening the European Defense Technological and Industrial Base.<sup>1108</sup>

The EDA Capabilities Directorate is tasked to support the “ESDP as it stands now and will evolve in the future” so that it is not only concerned with developing new and interoperable defense systems but it is also involved in determining what those new future capabilities will be. The EDA Capabilities Directorate works with the EUMC to determine possible solutions to future requirements outlined in the

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<sup>1106</sup> EDA, “Security of Information Between Subscribing Member States.” available from, <http://www.eda.europa.eu/genericitem.aspx?area=Reference&id=164> Internet; accessed 10 September 2009.

<sup>1107</sup> The EDA Organization Chart is at Appendix III page 465 of this study.

<sup>1108</sup> “EDA Background.” available from, <http://www.eda.europa.eu/genericitem.aspx?area=Background&id=122> Internet; accessed 10 September 2009.

EDA Long Term Vision, EU Security Strategy, and political guidance from the Council/PSC.<sup>1109</sup> There are two reasons that this is significant. Although the translation of requirements into capabilities currently requires a Member State (or States) to program the funding and oversee production, the ability to influence what future capabilities will be adopted gives the EDA (and therefore EU) a significant role in determining the items that future spending and budgets will be used to purchase.<sup>1110</sup> This of course will also assist in ensuring the interoperability of future EU forces, but it is important to note that this is being done at the EU level by an EU agency not by a random grouping of states involved in a one off collaboration on an item of defense equipment as in past cooperation efforts previously noted. It also is a tremendous potential facilitator of a future EU force that has been guided in its creation by the adoption of capabilities generated through the EU/EDA comprehensive capabilities development process.

The Research and Technology Directorate is also significant not just because it is trying to preserve the European Defense Industrial and Technology Base and increase spending on defense research and technology, but rather that in addition it is involved in ‘establishing agreed European Research and Technology priorities.’<sup>1111</sup> Setting priorities in this area and pooling resources gives the EDA tremendous influence over what direction future research takes. The EDA already has had success with a Joint Investment Program on Force Protection and in 2008 began a second Joint Investment Program on Innovative Concepts and Emerging Technologies with eleven participating states and a budget of 15.58 million Euros.<sup>1112</sup>

The Armaments Directorate promotes and proposes new cooperation, assists in the coordination of existing programs (e.g. maintenance and upgrades), identifies best practices (lessons learned) and can

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<sup>1109</sup> “EDA Capabilities Development.” available from, <http://www.eda.europa.eu/genericitem.aspx?area=Organisation&id=115> Internet; accessed 10 September 2009.

<sup>1110</sup> This is analogous to the Joint Requirements Oversight Council (JROC) process that is used in the US to help the Chairman of the Joint Chiefs of Staff identify, assess, and prioritize military capabilities. Charter of the Joint Requirements Oversight Council, CJCSI 5123.01B, p. A-1, Department of Defense, 2004.

<sup>1111</sup> “EDA Research and Technology.” available from, <http://www.eda.europa.eu/genericitem.aspx?area=Organisation&id=117> Internet; accessed 10 September 2009.

<sup>1112</sup> EDA, “Defence R&T Joint Investment Programme on Innovative Concepts and Emerging Technologies.” available from, <http://www.eda.europa.eu/genericitem.aspx?id=368> Internet; accessed 10 September 2009.



be involved in managing specific programs.<sup>1113</sup> This last item is significant because it gives the EDA a nascent ability to partially manage procurement programs. In cases where the Member States want it to (and provide a budget) the EDA can manage a program up to the point of implementation by a contractor when it would then turn management over to OCCAR (Organisation Conjointe de Coopération en matière d'Armement - the Organization for Joint Armament Cooperation).<sup>1114</sup>

The Industry and Market Directorate's mission is the fourth function of the EDA which is the creation of an internationally competitive European Defense Equipment Market and to strengthen the Defense Technical Industrial Base (DTIB). Their work related to the creation of a European Defense Equipment Market revolves around the intergovernmental Regime in Defense Procurement and its supporting documents described previously. In working to strengthen the DTIB the Industry and Market Directorate follows the 2007 EDA Steering Board approved 'Strategy for the European Defense Technological and Industrial Base' which in part states:

“we must therefore press on with developing a truly European DTIB, as something more than a sum of its national parts. We cannot continue routinely to determine our equipment requirements on separate national bases, develop them through separate national R&D efforts, and realize them through separate national procurements. This approach is no longer economically sustainable – and in a world of multinational operations it is operationally unacceptable, too. We need therefore to achieve consolidation on both sides of the market in Europe: aligning and combining our various needs in shared equipment requirements; and meeting them from an increasingly integrated EDTIB.” “This EDTIB must also be more closely integrated with the wider, non-defense European technological and industrial base, with less European dependence on non-European sources for key defense technologies.”<sup>1115</sup>

The EDA is an incredibly significant organization and step in the integration of military capabilities and especially *the capacity to produce military capability* in the EU. Article 296 opt outs still exist for very sensitive items such as nuclear weapons and emergency purchases for operations.

The EDA is not the only agency that has been working on creating an integrated European Defense Equipment Market. The Commission issued an Interpretative Communication in December

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<sup>1113</sup> EDA Armaments Cooperation. available from, <http://www.eda.europa.eu/genericitem.aspx?area=Organisation&id=108> Internet; accessed 10 September 2009.

<sup>1114</sup> Organization for Joint Armament Cooperation. available from, <http://www.occar-ea.org/> Internet; accessed 10 September 2009.

<sup>1115</sup> EDA, “A Strategy for the European Defence Technological and Industrial Base.” available from, <http://www.eda.europa.eu/genericitem.aspx?area=Organisation&id=211> Internet; accessed 10 September 2009.

2006 that emphasized Article 296 opt out provision should only be used in exceptional cases and gave guidance for Member States' on whether defense procurement contracts can be exempted or should follow EU trade rules.<sup>1116</sup> There have been two recent EU legislative actions that dramatically impact the creation of an integrated European Defense Market. Directive 2009/43/EC of the European Parliament and of the Council of the European Union was adopted in May 2009 and will 'harmonize' the various rules and procedures among the Member States that impede the movement and transfer of defense related products.<sup>1117</sup> The other legislative act is Directive 2009/81/EC of the European Parliament and of the Council of the European Union and should have a truly integrative effect on the European defense market.<sup>1118</sup> This legislation does two things. First it provides specific rules governing the contracting for defense material that had not been covered by previous common market rules.<sup>1119</sup> Second and most importantly this new legislation curtails the use of Article 296 opt outs to the absolute minimum, and those must be *reviewed case-by-case at the EU level*. This EU law is legally binding and mandates that Member States procurement and contracting for defense material follow common market rules. There can be no argument that the actions of the Commission and the EDA are creating an integrated arms

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<sup>1116</sup> EU Commission, "The EU Single Market, Defence Procurement." available from, [http://ec.europa.eu/internal\\_market/publicprocurement/dpp\\_en.htm](http://ec.europa.eu/internal_market/publicprocurement/dpp_en.htm) Internet; accessed 10 September 2009.

<sup>1117</sup> Directive 2009/43/EC of the European Parliament and of the Council. available from, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:146:0001:01:EN:HTML> Internet; accessed 11 September 2009.

<sup>1118</sup> "The new Directive 2009/81/EC on defense and security procurement entered into force on 21 August 2009. The Directive will be the cornerstone of a truly European Defense Market supporting the development of the European defense-related supplier base. Up until now, the vast majority of defense and sensitive security procurement contracts have been exempted from the Internal Market rules. One of the reasons for this is that the existing EU procurement rules are considered to be ill-suited for most defense- and security-related purchases. The new Directive will greatly improve this situation by providing tailor-made procurement rules for defense and security contracts. Member States now have at their disposal Community rules they can apply to complex and sensitive transactions without putting at risk their legitimate security interests." Europa Press Release; "New Directive on Defence and Security Procurement Enters into Force." available from, <http://europa.eu/rapid/pressReleasesAction.do?reference=IP/09/1250&format=HTML&aged=0&language=EN&guiLanguage=en> Internet; accessed 11 September 2009.

<sup>1119</sup> "Directive 2009/81/EC applies to arms, munitions and war material, subject to Article 296. This means that, in principle, all military equipment which is on the list of 1958 comes under the new Directive. Only in cases where the rules of Directive 2009/81/EC are not sufficient to safeguard Member States essential security interests, Member States may use Article 296 to exempt the procurement of such equipment from the Directive. Whether this is the case or not must be assessed on a case-by-case basis. The criteria for this assessment have been explained in the Interpretative Communication of December 2006 and remain valid." "Defence Procurement – Frequently Asked Questions," Brussels, 28 August 2009. available from, [http://ec.europa.eu/internal\\_market/publicprocurement/docs/defence/faqs\\_28-08-09\\_en.pdf](http://ec.europa.eu/internal_market/publicprocurement/docs/defence/faqs_28-08-09_en.pdf) Internet; accessed 12 September 2009.

market and defense industrial base within the EU. That means that the EU is well on the way towards an integrated capacity to produce military capability.

In addition to the EU working towards creating an integrated capacity to produce military capability, there are some existing integrated capabilities and capabilities that are in the process of being produced. The European Union Satellite Center has already been mentioned but it is the single space based intelligence agency of the EU. It provides 'Geospatial Intelligence' (mapping, charting, satellite and aerial imagery analysis, and imagery intelligence) in support of EU (and UN when requested) operations. The Satellite center also conducts training for imagery analysts and works with the EDA and EUMS to develop EU intelligence capabilities such as a common Intelligence, Surveillance, Targeting, and Reconnaissance (ISTAR) management tool.<sup>1120</sup>

The Galileo global navigation satellite system is under construction by the European Space Agency as a joint initiative with the EU Commission. It is designed to provide Europe with its own satellite navigation system independent of the US (GPS) or Russian (GLONASS) systems.<sup>1121</sup> Although the signals will be interoperable with the other systems it gives the EU the capability to conduct operations using satellite navigation technology even if the US or Russia were to object and withhold access to their systems. Currently only a few satellites have been launched, so the system is not yet in operation. Although it is advertised as a civilian controlled system to be used for civilian applications, there are obvious military applications for the EU such as targeting, navigation, and search and rescue that will also use the system.

The Movement Coordination Centre Europe (MCCE) was created in 2007 with the merger of the European Airlift Centre with the NATO sponsored Sealift Coordination Centre at Eindhoven Airbase, The Netherlands. The MCCE provides strategic airlift, sealift, and Air-to-Air Refueling support to any

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<sup>1120</sup> The EUSC. available from, [http://www.eusc.europa.eu/index.php?option=com\\_content&task=view&id=2&Itemid=10](http://www.eusc.europa.eu/index.php?option=com_content&task=view&id=2&Itemid=10) Internet; accessed 12 September 2009.

<sup>1121</sup> ESA; Galileo Navigation System. available from, [http://www.esa.int/esaNA/GGGMX650NDC\\_galileo\\_0.html](http://www.esa.int/esaNA/GGGMX650NDC_galileo_0.html) Internet; accessed 12 September 2009.

EU led operation as well as to NATO.<sup>1122</sup> Past support includes EU operations in the Congo and Darfur. Also located at the Eindhoven Airbase is the Strategic Air Lift Coordination Cell that oversees the Strategic Air Lift Interim Solution (SALIS) contract.<sup>1123</sup> Future European strategic transport is linked to the still to be delivered A400M Airbus Military Transport which is a true single source production for the European market. It is a clear example of the integration of the Defense Industrial Base as well as the European Defense Market. The EADS/Airbus Military contract was signed with OCCAR representing seven European states for the delivery of 180 aircraft.<sup>1124</sup> The European Air Transport Command (EATC) is another initiative involving The Netherlands, France, Germany, Luxemburg and Belgium in which;

“the overall objective is to gradually transfer and integrate within one single multinational command all relevant national responsibilities and personnel, whose responsibility would be to direct the force generation and the mission execution of combined air transport capabilities.”<sup>1125</sup>

The EDA is also moving forward with the creation of a ‘European Air Transport Fleet’ (EATF). In November 2008 a declaration of intent to participate was signed by 12 EU Member States. EATF would initially involve pooling aircraft, resources, and support such as training and maintenance. The declaration of intent includes the creation in the future of a multinational A400M unit as part of the EATF.<sup>1126</sup> An additional step was the signature of an EATF Letter of Intent, on 17 November 2009 by fourteen Ministers of Defense (and later by Romania bringing the total participants to 15) which is a

<sup>1122</sup> MCCE Background. available from, <https://www.mcce-mil.com/> Internet; accessed 12 September 2009.

<sup>1123</sup> The SALIS contract gives; “assured availability of two AN124-100 under full time charter for any national purpose of the Participants and for the rapid deployment of forces in support of NATO/EU supported operations, and the assured availability of up to four (4) additional AN124-100 aircraft on priority call for the rapid deployment of forces in support of NATO/EU supported operations.” Welcome to the SALCC. available from, <https://www.mcce-mil.com/> Internet; accessed 12 September 2009.

<sup>1124</sup> Airbus Military A400M History. available from, <http://www.airbusmilitary.com/commitment.html> Internet; accessed 14 September 2009. See Also; EADS A400M. available from, [http://www.eads.com/1024/en/businet/airbus/airbus\\_military/a400m/a400m.html](http://www.eads.com/1024/en/businet/airbus/airbus_military/a400m/a400m.html) Internet; accessed 14 September 2009.

<sup>1125</sup> NATO Parliamentary Assembly: Visit to The Netherlands By The Sub-Committee On Transatlantic Defense And Security Co-Operation. available from, <http://www.nato-pa.int/Default.asp?SHORTCUT=1260> Internet; accessed 14 September 2009.

See Also; ESDP Development of European Military Capabilities, p.5 available from, <http://www.consilium.europa.eu/uedocs/cmsUpload/090720%20Factsheet%20capacites%20militaires%20EN.pdf> Internet; accessed 14 September 2009.

<sup>1126</sup> “European Air Transport Fleet Launched.” available from, <http://www.eda.europa.eu/newsitem.aspx?id=422> Internet; accessed 14 September 2009.

formal commitment to the program.<sup>1127</sup> The MCCE, SALIS, ETAC, and EATF all demonstrate that in the area of transportation there is a definite movement toward integration of capabilities and organizations in Europe.

Another area of integration is found in various units formed first for use by the WEU and now by the EU. Eurocorps was formed in 1993 following the success of the French-German Brigade that became operational in 1991. By 1993 Germany, France, Belgium and Spain had formed the integrated Corps Headquarters unit. In 2000 Eurocorps had its first mission as the KFOR Headquarters. In 2002 Eurocorps was designated by NATO as a rapid reaction headquarters and in exchange opened its membership to all NATO and EU members. From August 2004 to February 2005 it was the Headquarters for ISAF in Afghanistan, and in 2006 it was the on call NATO Response Force Headquarters. There are several integrated units that are part of the Eurocorps. The first is a headquarters staff of about 450 people, the second is the 380 person multinational Headquarters Support Battalion composed of three multinational companies. The third integrated unit is the Multinational Command Support Brigade which includes a Communication and Information Systems Company and the Headquarters Support Battalion as well as its own staff.<sup>1128</sup> The remainder of the units assigned to the Corps (up to 60,000 troops), except for the French-German Brigade, are not necessarily “integrated” but are units assigned as the mission requires and participating states can provide.

There is an example of an integrated naval element in Europe, and it is a long term (since 1965) bi-national agreement between Belgium and The Netherlands that created a Naval Mine Warfare School at Oostende (Belgium). Belgium and The Netherlands shares the school’s support staff, instructors and

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<sup>1127</sup> “European Defense Agency Annual Report 2009.” p.22, available from, <http://www.eda.europa.eu/genericitem.aspx?area=17&id=660> Internet; accessed 5 October 2010

<sup>1128</sup> Eurocorps Organization. available from, [http://www.eurocorps.org/home\\_page/organisation/organisation.php?lang\\_default=ENG&id\\_video=12](http://www.eurocorps.org/home_page/organisation/organisation.php?lang_default=ENG&id_video=12). Internet; accessed 14 September 2009. See Also; History of Eurocorps. available from, [http://www.eurocorps.org/home\\_page/eurocorps/history/History\\_of\\_the\\_Eurocorps.pdf](http://www.eurocorps.org/home_page/eurocorps/history/History_of_the_Eurocorps.pdf) Internet; accessed 14 September 2009.

budgets between them.<sup>1129</sup> Another long standing bi-national integrated force is the UK Netherlands Amphibious Force created in 1973. Responding to budget pressures of the time it saved the Dutch Marines from elimination, and now this force is a brigade of 5000 with the Dutch providing a battalion and support troops of about 1100 troops.<sup>1130</sup> These are good examples of pooling resources in response to budget pressures that resulted in integrated forces. This is the most likely response for the EU states (as can be seen with ETAF and ETAC) that will result from the current economic downturn.

The most dramatic example of defense cuts leading to integration is the recently announced French – UK "Declaration on Defence and Security Co-operation" signed on 2 November 2010 by Prime Minister David Cameron and French President Nicolas Sarkozy. On 19 October the UK government published a Strategic Defense and Security Review undertaken as the result of financial difficulties. The result is that the UK will cut about 8 percent of its defense budget and make significant reductions in its force structure and capabilities.<sup>1131</sup> The ability of the UK to conduct a military campaign on its own will become quite limited with these reductions. This prompted the UK to make a defense deal with the French to integrate in some areas and significantly enhance cooperation in others. This move was greatly facilitated by the French return to the Integrated Command Structure of NATO. The French – UK "Declaration on Defence and Security Co-operation" includes several key items. First, there will be joint facilities for testing nuclear warheads and materials at the Valduc research centre in France and the technology development centre at Aldermaston in the UK staffed by both French and British scientists. Nuclear forces and weapons will remain under national control. Second, the UK will replace its current aircraft carrier capability with the creation of a naval task force built around the French carrier Charles de Gaulle while it equips its future aircraft carrier with catapults so that both countries' fighter jets can fly

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<sup>1129</sup> Belgian-Netherlands Naval Mine Warfare School. available from, <http://www1.eguermin.org/> Internet; accessed 14 September 2009.

<sup>1130</sup> The Dutch Contribution to the UKNL Amphibious Force. available from, <http://www.rusi.org/downloads/assets/brinkman.pdf> Internet; accessed 14 September 2009.

<sup>1131</sup> "Securing Britain in an Age of Uncertainty: The Strategic Defence and Security Review," (including links to fact sheets and National Security Strategy), available from, <http://www.cabinetoffice.gov.uk/intelligence-security-resilience/national-security/strategic-defence-security-review.aspx> Internet; accessed 3 November 2010 See Also, RUSI: SDSR: "What Next for Britain?" available from, <http://www.rusi.org/analysis/commentary/ref:C4CBE8B5AF32D7/> Internet; accessed 3 November 2010

from each other's naval vessels. The goal is to synchronize maintenance schedules so between them they will always have one carrier available for what will become by the early 2020s a "UK-French integrated carrier strike group". Third, a Combined Joint Expeditionary Force (including air, land and naval forces) will be developed. This capability will not be a standing force but one available for use once notified and structured for NATO, EU, UN or other operations in anything up to 'high intensity' conflicts. This will include developing joint military doctrine and training programs with combined land and air exercises scheduled to begin sometime next year. Fourth, there is a stated intention to align 'wherever possible our logistics arrangements' to include integrated support for both countries' soon to be acquired A400M military transport aircraft fleets and co-operation in training of the crews. Finally, cooperation will be extended in a large number of other areas such as; strengthening the defense industrial and technology base, implementing a combined 100 million euro annual research and technology budget, joint development of the next generation of unmanned aerial systems, complex weapons, submarine technologies, marine mines, satellite communications, cyber security and for France to possibly use spare capacity in the UK air-to-air refueling fleet.<sup>1132</sup> This unprecedented increase in defense cooperation and integration between France and the UK reflects the perception that each state has of the other as more than just allies.<sup>1133</sup>

In addition to bi-lateral moves toward integration, Article 46 of the Lisbon Treaty codifies 'permanent structured cooperation' in defense within the EU. EU Member States that want to participate must meet the criteria set out in the Protocol on permanent structured cooperation and then have to notify both the Council and the High Representative for Foreign Affairs and Security Policy. Then the Council,

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<sup>1132</sup> Ministry of Defense, "UK-France Defence Co-operation Treaty announced." available from, <http://www.mod.uk/DefenceInternet/DefenceNews/DefencePolicyAndBusiness/UkfranceDefenceCooperationTreatyAnnounced.htm> Internet; accessed 3 November 2010. See Also; *Telegraph* "Anglo-French Defence Treaty: at a glance." available from, <http://www.telegraph.co.uk/news/newstopics/politics/defence/8105134/Anglo-French-defence-treaty-at-a-glance.html> Internet; accessed 3 November 2010

<sup>1133</sup> "The document said that Britain and France have "reached a level of mutual confidence unprecedented in our history" and "do not see situations arising in which the vital interests of either nation could be threatened without the vital interests of the other also being threatened". So the two countries will "enable our forces to operate together, to maximise our capabilities and to obtain greater value for money from our investment in defence". *Telegraph* "Anglo-French Defence Treaty: at a glance." available from, <http://www.telegraph.co.uk/news/newstopics/politics/defence/8105134/Anglo-French-defence-treaty-at-a-glance.html> Internet; accessed 3 November 2010



in consultation with the High Representative, votes to approve the list of participating states. If a Member State wants to participate later it must go through this same process. When a participating Member State no longer meets the criteria or commitments outlined in the Protocol the Council can suspend that State's participation. States can also voluntarily withdraw.<sup>1134</sup> The Protocol on Permanent Structured Cooperation sets out the criteria for participation. First a Member State must participate in the European Defense Agency as well as in the battle group program by either providing a battle group or part of a multinational battle group (combat units and support units ready to deploy within 30 days and sustained in theater for up to 120 days). Second, they are to develop their forces by; reaching an approved level of defense expenditures on equipment; "by harmonizing the identification of their military needs, by pooling and, where appropriate, specializing their defense means and capabilities, and by encouraging cooperation in the fields of training and logistics;" by "enhancing the availability, interoperability, flexibility and deployability of their forces;" by rectifying the "shortfalls perceived in the framework of the 'Capability Development Mechanism';" and take part in the development of "equipment programs in the framework of the European Defence Agency." Finally, participating Member States agree to allow the European Defence Agency to conduct annual assessments of their contributions with regard to capabilities and to report the results to the Council which will serve as a basis for Council recommendations and decisions regarding Permanent Structured Cooperation.<sup>1135</sup> Based on the description in the Lisbon Treaty and as outlined in the Protocol on Permanent Structured Cooperation in defense, the Member States that participate in this program will allow the EU to structure and monitor the development of their armed forces capability in conformity with EU established goals and criteria. Though they may nominally

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<sup>1134</sup> Article 46, Consolidated Version of the Treaty on European Union. available from, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2010:083:0013:0046:EN:PDF> Internet; accessed 5 October 2010

<sup>1135</sup> Protocol on Permanent Structured Cooperation Established by Article 28A of the Treaty on European Union. available from, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2007:306:0153:0155:EN:PDF> Internet; accessed 5 October 2010 See Also; European Union Institute for Security Studies, "Permanent Structured Cooperation: In Defense of the Obvious," by Sven Biscop and Jo Coelmont, June 2010. available from, [http://www.iss.europa.eu/uploads/media/Permanent\\_structured\\_cooperation\\_01.pdf](http://www.iss.europa.eu/uploads/media/Permanent_structured_cooperation_01.pdf) Internet; accessed 5 October 2010



remain the armed forces of a state, they will have effectively become an integral part of a larger defense establishment responding to its standards.

In addition to annual Command Post exercises previously mentioned, training under the aegis of the EU / EDA is an area that is receiving increasing attention. Doctrine development along with operational and strategic studies is being done by the European Security and Defense College (ESDC) and the EU Institute for Security Studies. The EU Institute for Security Studies is an agency whose board is chaired by the High Representative for Foreign Affairs and Security Policy, and whose stated goals are; “to find a common security culture for the EU, to help develop and project the CFSP, and to enrich Europe’s strategic debate.”<sup>1136</sup> The European Security and Defense College’s purpose is to provide “strategic-level education in European Security and Defence Policy, now Common Security and Defence Policy (CSDP)” to “civil servants, diplomats, police officers, and military personnel” from participating member states. It is a ‘network college’ with several national universities, academies, colleges and institutes that contribute to the ESDC which is the “key CDSP training provider.” So far it has trained over 2500 people in its various courses.<sup>1137</sup>

“The objective of the ESDC is to provide Member States and EU Institutions with knowledgeable personnel able to work efficiently on CSDP matters. In pursuing this objective, the College makes a major contribution to a better understanding of CSDP in the overall context of CFSP and to promoting a common European security culture.”<sup>1138</sup>

Another training program at the opposite end of the training spectrum that was initiated in 2008 is the ‘Military Erasmus’ program for the exchange of young officers; primarily military academy cadets. This program now has developed a standard reciprocal exchange agreement and a credit transfer system to

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<sup>1136</sup> The European Union Institute for Security Studies, Background, available from, <http://www.iss.europa.eu/about-us/> Internet; accessed 5 October 2010 (underline by this author)

<sup>1137</sup> European Security and Defense College, “Promoting a European security culture.” available from, <http://esdc.mil-edu.be/index.php/home> Internet; accessed 5 October 2010. See Also; “European Security and Defense College in Short,” available from, [http://esdc.mil-edu.be/index.php/component/docman/cat\\_view/26-csdp-knowledge-base/90-esdc/91-basic-documents](http://esdc.mil-edu.be/index.php/component/docman/cat_view/26-csdp-knowledge-base/90-esdc/91-basic-documents) Internet; accessed 5 October 2010.

<sup>1138</sup> Ibid. (underline by this author)

recognize work done at another academy. The stated aim of the program is to; “encourage European officers to share a common strategic culture from the very early stages of their training.”<sup>1139</sup>

There is an integrated EU training program at the tactical level. In response to a lack of available transport helicopters for a number of EU operations a helicopter training program was created. The problem was not availability of aircraft but that most crews were not trained to fly in demanding desert or mountain environments. Improving helicopter crew training for deployment has become a major training program under the EDA. In 2009 there was an initial training program for Czech helicopter crews deploying to Afghanistan and then a much larger flying exercise in Gap France in March 2009 (funded by Luxembourg) with eleven participating member states. This was such a success that in November 2009 the EU Defense Ministers created the European Helicopter Training Program. The program consists of two live exercises per year; one focused on individual training the other on interoperability and operational tactics. The EDA clearly intends to increase its involvement in helicopter training. In October 2010 the EDA proposed to study helicopter basic flying training with the view to ‘increase efficiencies’ (i.e. consolidate under the EDA) in the provision that type of training.<sup>1140</sup> Another very important EU training program that is being proposed (currently in a pre-contract phase) is the Advanced European Jet Pilot Training System.<sup>1141</sup> Should this program be adopted there is no doubt that it would be an integrated training program involving all aspects of the capacity to create military capability in the area of fighter aircraft. This would be a very significant integration under the aegis of the EU.

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<sup>1139</sup> European young officers exchange scheme, available from, [http://www.assembly-weu.org/en/documents/Fact%20sheets/11E\\_Military\\_ERASMUS\\_rev.pdf?PHPSESSID=f3137d60](http://www.assembly-weu.org/en/documents/Fact%20sheets/11E_Military_ERASMUS_rev.pdf?PHPSESSID=f3137d60) Internet; accessed 5 October 2010 See Also; Military Erasmus homepage, available from, <http://www.emilyo.eu/> Internet; accessed 5 October 2010

<sup>1140</sup> European Defense Agency Annual Report 2009. pp.19-20 available from, <http://www.eda.europa.eu/genericitem.aspx?area=17&id=660> Internet; accessed 5 October 2010. See Also; “Defence Ministers launch European Helicopter Training.” available from, <http://www.eda.europa.eu/genericitem.aspx?area=2&id=552> Internet; accessed 26 October 2010. See Also; “Helicopter Basic Flying Training Study.” available from, <http://www.eda.europa.eu/genericitem.aspx?area=11&id=695> Internet; accessed 26 October 2010

<sup>1141</sup> “The aim of the Advanced European Jet Pilot Training System (AEJPT) Category B project is to develop a common Integrated Training System (ITS) to train future fighter pilots. This system will most likely comprise not only the aircraft but also the basing infrastructure including Ground Based Training, Academic Training, Mission Planning/Debriefing Systems and the logistics to support the full system.” Advanced European Jet Pilot Training System. available from, <http://www.eda.europa.eu/genericitem.aspx?area=28&id=585> Internet; accessed 6 October 2010

In looking at a movement towards future defense integration the EU Parliament produced a very interesting resolution in February 2009. The Parliament has over time produced a number of documents that have contained concepts that later were included in EU treaties. Although it has increased in legislative authority it is unlikely that the Parliament would produce a document on policy that did not have some support in the Commission and Council. The context for this resolution includes the French return to the Integrated Command Structure of NATO announced in March 2009 by French President Sarkozy subsequently approved by the French National Assembly.<sup>1142</sup> France got what it wanted in exchange for rejoining NATO's Integrated Command Structure (American acceptance of an independent European defense capability and a leading French role in NATO's command structures).<sup>1143</sup> The French want to beef up the EU's existing planning capacity for operations with an EU planning headquarters, revise funding mechanisms for operations, increase EU training, and improve military capabilities.<sup>1144</sup>

Dr Hans-Gert Poettering the President of the European Parliament, and ally of Angela Merkel, spoke strongly in favor of the EU Parliament's resolution of 19 February, 2009, that advocated the creation of what would be called Synchronised Armed Forces Europe' (SAFE).<sup>1145</sup> The ideas contained in the resolution are very important given the precedent for EU Parliament influence on treaties. There is a likelihood that many of the details outlined below will be incorporated into the CSDP which may eventually be called "SAFE".<sup>1146</sup>

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<sup>1142</sup> "France ends four-decade NATO rift." available from, <http://news.bbc.co.uk/2/hi/europe/7937666.stm> Internet; accessed 10 September 2009. See Also; "Sarkozy wins French NATO re-entry vote." available from, <http://www.cnn.com/2009/WORLD/europe/03/17/france.nato/index.html> Internet; accessed 10 September 2009.

<sup>1143</sup> "Sarkozy, a Frenchman in a Hurry, Maps His Path." *New York Times* September 24, 2007. available from, <http://www.nytimes.com/2007/09/24/world/europe/24sarkozy.html> Internet; accessed 10 September 2009. See also: "France edges closer to NATO." available from, <http://news.bbc.co.uk/2/hi/europe/7039108.stm> Internet; accessed 10 September 2009.

<sup>1144</sup> Daniel Keohane, *Defensive Realignment*. ISS Opinion, Published by European Union Institute for Security Studies, September 2008.

<sup>1145</sup> President Poettering; "Your votes will strengthen the European Parliament!" available from, [http://www.euromil.org/index.php?option=com\\_content&task=view&id=158&Itemid=28](http://www.euromil.org/index.php?option=com_content&task=view&id=158&Itemid=28) Internet; accessed 13 September 2009.

<sup>1146</sup> (see Appendix IV page 466 of this study for selected text) European Parliament resolution of 19 February 2009 on the European Security Strategy and ESDP. available from, <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P6-TA-2009-0075&format=XML&language=EN> Internet; accessed 13 September 2009.

Although the use of the word synchronized instead of integrated in the resolution is more palatable politically, if these measures are adopted they would effectively create an integrated European Force. There is nothing new in suggesting the elimination of duplication and the pooling and sharing of capabilities, or the joint development of new capabilities for more efficient use of defense spending. However, when added to calls for specialization (paragraph 46) and a Europe-wide division of labor in military capabilities (paragraph 54) there is the potential for states to forego providing defense for themselves and becoming a provider of a capability while other states provide different capabilities as part of a whole force. The resolution also advocates common weapons systems (paragraph 62), common training, and common standards (paragraph 65). One of France's key desires noted previously is obtaining greater ability to conduct operations by "establishing an integrated civilian and military strategic planning structure for ESDP operations and missions" (paragraph 56) as well as an "autonomous and permanent EU Operational Headquarters" (paragraph 58) and interestingly to "enhance the development of a specifically European security culture" (paragraph 64). The most radical and likely to result in integration is the call for a "European statute for soldiers" (paragraph 53).

53. Approves the idea of a European statute for soldiers within the framework of SAFE governing training standards, operational doctrine and freedom of operational action, issues relating to duties and rights, as well as the level of equipment quality, medical care and social security arrangements in the event of death, injury or incapacity;

This would be taking over the function of how military forces are recruited, trained, organized, and compensated, that along with "the opening-up of armies to citizens of other EU Member States," (paragraph 65) would be directly creating an EU wide integrated force. This certainly seems to be the vision of Dr Hans-Gert Poettering former President of the EU Parliament;

"Ultimately, the answer does not simply lie in closer cooperation between autonomous national armies, but rather in quantum improvements in the areas of joint command structures, equipment and operations. If we want to achieve these aims, we need a link between the current situation, characterized by armed forces which are partly interoperable, but still organized on a purely national basis, and the distant objective of a European Army. Partly because it has positive

associations and is easy to remember, that link could be given the name SAFE; 'Synchronized Armed Forces Europe'.”<sup>1147</sup>

Importantly the Lisbon Treaty gives the EU Parliament a greater say in defense and foreign policy matters.<sup>1148</sup> Should the EU Parliament chose to push the SAFE proposal, it seems given the pressures to economize and specialize, that it may well be adopted within a decade. That would certainly produce what would be considered an “EU Army”. At that point the EU would become a strongly integrated Amalgamated Security Community.

### **5-7. Measuring the Independent Variable – The degree of integration of military capabilities and the capacity to produce military capability.**

This paper argues that once a decision is made to integrate military capabilities, especially the integration of the capacity to produce military capability, an Amalgamated Security Community (a state or state like entity) will form as a result, and that this process is the mirror image of state dissolution. The independent variable is the degree of integration of military capabilities and the capacity to produce military capability. Measurement of the independent variable by category in the case of the EU based on the evidence that has been presented is outlined below.

**Category one** - Military forces; consisting of administrative staffs and operational forces. There are concrete examples of permanent integrated units in Europe, e.g. Eurocorps, French-German Brigade, the UKNL Landing Force, NATO’s Multinational CBRN Battalion, Dutch-Belgian Naval Mine Warfare School, and the MCCE. There are also Operational Forces that have been put together for deployments or

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<sup>1147</sup> “New developments and approaches to a defense of Europe,” Dr Hans-Gert Poettering President of the European Parliament, speech in Berlin November 2008. available from, [http://www.daten.euro-defence.eu/2008/poettering\\_e.pdf](http://www.daten.euro-defence.eu/2008/poettering_e.pdf) Internet; accessed 13 September 2009.

<sup>1148</sup> Article 36 states “The High Representative of the Union for Foreign Affairs and Security Policy shall regularly consult the European Parliament on the main aspects and the basic choices of the common foreign and security policy and the common security and defence policy and inform it of how those policies evolve. He shall ensure that the views of the European Parliament are duly taken into consideration. Special representatives may be involved in briefing the European Parliament.” “The European Parliament may address questions or make recommendations to the Council or the High Representative. Twice a year it shall hold a debate on progress in implementing the common foreign and security policy, including the common security and defence policy.” Consolidated Version of the Treaty on European Union. available from, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2010:083:0013:0046:EN:PDF> Internet; accessed 5 October 2010. See Also; EU Parliament, “The Lisbon Treaty and its Implications for CFSP / CSDP.” available from, [http://www.europarl.europa.eu/meetdocs/2009\\_2014/documents/afet/dv/201/201009/20100928lisbontreaty\\_cfsp-csdp\\_en.pdf](http://www.europarl.europa.eu/meetdocs/2009_2014/documents/afet/dv/201/201009/20100928lisbontreaty_cfsp-csdp_en.pdf) Internet; accessed 5 October 2010

are on standby as an integrated unit such as the Multinational Battlegroups and various EU deployments such as Operation ALTHEA which has a Multinational Maneuver Battalion as well as other small deployments such as military advisory groups. These units are either small Headquarters units or bi-national/multinational tactical units of a Brigade size or smaller. The vast majority of operational units in Europe however, do not fall into this category, even though they may rotate through a multinational unit or deployment from time to time, they are part of national military forces. The overall assessment of operational forces in the EU is that although there are some integrated units so far there is only a very low level of integration. As for Administrative Staffs, integrated administrative support is almost completely absent. Recruiting, paying wages, assignments, and services such as morale and welfare, are primarily covered by national armed forces. There is some combined support for some deployments as well as operational funding through Athena, but there is no true EU Administrative Staff that provides integrated administrative support. The overall assessment for category one – military forces; must be very low which equals a score of 1.

**Category 2.** Arms production and Technology as a factor in arms production.

This category has seen the greatest change in the post Cold War period. As outlined in the discussion above there has been a significant increase in the consolidation of the means of production both as a reflection of market pressures and most importantly as the result of activity by the EU Commission and the EDA. Not only is there now an open market for all basic equipment, there is definitely considerable sharing in the production of high tech and prestigious equipment such as the A400m, Eurofighter, and Galileo satellite system. Despite this there is still the possibility of Article 296 opt outs for very sensitive equipment (e.g. nuclear forces). Therefore this category can only be assessed as being at a medium level of integration which is scored as a 3.

**Category 3.** Military technology as a factor in operational (combat) forces.

This category (like a couple of others below) is supported by NATO STANAGS that assist in making interoperability among forces a priority. What is found in Europe is that there is a wide variety of combat equipment still in use produced by various national companies during the Cold War. This is very true of

vehicles, such as tanks and armored personnel carriers that were produced by the UK, Germany, France, and Russia that can all be found throughout various EU forces and will not likely be replaced anytime soon. On the other hand these are all the same generation of vehicles produced in the 1980s and 1990s. Aircraft are another area where there are a number of different systems but they are all of the same generation. The consolidation of the defense industry also has an impact here because future upgrades of vehicles or aircraft will end up being produced not by national companies but rather by European companies providing the same systems to all customers. There are some European militaries however, primarily the smaller East Europeans States, whose general defense forces lag behind but who participate by fielding Special Forces units or Niche capabilities that are of comparable quality to any others in Europe. For this category there is a general compatibility of key equipment (due in large part to the efforts of NATO) but there is still a variation so that this category can only be assessed currently as being at a low level of integration which equals a score of 2. This category is very likely to increase its integration over time as new equipment is fielded.

**Category 4.** Creation of combat power; Doctrine, Training, Leader Development, Organization, Materiel, and Soldiers. (DTLOMS)

This category is greatly assisted by NATO (and PFP) efforts as well. NATO Doctrine is pretty well uniformly accepted as the basis for operations (adjusted to UN requirements when on a UN deployment). In addition English is used as the operational language. Training at the Strategic level is conducted for the EU by the European Security and Defense College. NATO training at the operational level is carried out at the NATO School (located in Oberammergau, Germany) and Marshal Center. The EU conducts training exercises (MILEX) at the operational level to test its command posts and planning ability (this also impacts the Command and Control sub-category below). The EDA is beginning to become involved in training (Helicopter training program) and will likely become more involved in training activities. Training is also conducted for deployments and during deployments by the various integrated units (e.g. battlegroups, Eurocorps,). NATO Training standards also assist in determining what topics and level of proficiency should be taught. There is at least bi-national training conducted by the Dutch-Belgian Naval

Warfare School and in the UKNL Landing Force, however, most training takes place within a national framework of staff, equipment, and facilities at national schools. This area can only be seen as being at a medium level of integration. Leader Development is affected by training offered in multinational venues and by NATO requirements. There tends to be a similar set of schools in each country dedicated to officer development. Usually there is an academy, a company grade officer's course, a field grade officer's course, and a senior war college. There are usually exchange officers that attend the courses hosted in each country which helps to familiarize the students with each other's militaries. This is not however, an integrated system since each state maintains its own school system. Only at the level of the European Security and Defense College and the NATO schools is there an integrated officer development. This area can only be assessed as being at a very low level. Organization of European military forces is very similar. Thanks to years of the NATO integrated command structure, doctrine, and PFP interactions, military forces in Europe are organized in a very similar manner. Materiel is an area in which there is considerable diversity. Equipping soldiers, airmen, and sailors is still done primarily through national supply methods and purchases but this appears set to change with the consolidation of the Defense industry and the work of the EDA. In the future if there is an EATF equipped as a single unit with A400Ms purchased by a single contract for that unit it would be the first case of integration in terms of the sub-category of Materiel. Until that (or something similar) happens this must be assessed as not integrated. "Soldiers" is shorthand for the personnel aspect of force generation and includes recruiting, and all aspects of human resource management such as promotion or assignment. The only real integration in this area is the application of EU labor laws. EU laws were applied for instance to allow females to integrate into the German Army. Otherwise in this area there is little to no integration as human resource management remains the domain national militaries. This can only be assessed as being very low in terms of integration. This category; Creation of combat power based on DTLOMS can be assessed as: Doctrine high 4, Training medium 3, Leader Development very low 1, Organization high 4, Materiel not integrated 0, Soldiers very low 0.5. Overall this category is assessed as being at a low level with an average score of 2.



**Category 5.** Use and sustainment of military forces; Command and Control (C2)

Communications, Logistics.

Command and Control is perhaps the most integrated aspect. There is clear integration at the strategic level with the EU Political and Security Committee, EU Military Committee, EU Military Staff and EU Operations Center. The EU conducts Command Post Exercises to ensure its ability to function in this category. At the operational level the Force Headquarters have either been multinational or a lead nation augmented to function as an integrated command for the operation. Again NATO procedures provide the background standardization and habituation for the successful working in a multinational integrated headquarters. This is also the area in which the EU Satellite Center and Galileo navigation systems would assist in planning and controlling forces. Therefore Command and Control integration must be rated as high. The first area that must be integrated for any force to possibly work together is communications. For the EU an integrated communications system already exists through the EU Operations Wide Area Network (EU OPS WAN). In addition there is again a NATO influence regarding operational language, radio procedures interoperable equipment etc... Communications integration must also be rated as high. Logistics for European operations can be accomplished through a lead nation for support that may or may not be the overall lead nation for an operation or it can also be done through contracting and the Athena process. There is one key single source logistics area and that is in the area of transportation where the MCCE is the single source for sea and air transport. That being said there are still considerable national forces that receive their logistic support through national means. Therefore logistics can only be assessed as being integrated at a low level. This category; Use and sustainment of military forces can be assessed as: Command and Control high 4, Communications high 4, Logistics low 2. Overall this category is assessed as being at a medium level with an average score of 3.3.

**Category 6.** Budget issues regarding public goods and burdensharing.

There are significant issues regarding burdensharing in Europe. There are EU member States that provide quite a bit of military funding and capabilities and those who only provide a small amount. Most defense spending is done by Member State governments for national forces. In regards to equipping their forces

the spending is primarily for themselves (as indicated in the Material category above). However, these forces are assigned or allocated on a rotating basis for both EU and NATO uses. No state maintains separate units for each commitment but uses the same units to meet various commitments. Therefore, a good deal of spending is on joint public goods in terms of defense capabilities not just on singular national purposes. Even the Nuclear forces of France and the UK may be seen in the light of joint public goods when applied to their commitments in the EU. The various EU agencies such as the EDA, Satellite center, Defense College, Military Staff etc... all are funded through the EU budget. The budget for EU operations does in fact have its own source of funding which is the Athena financial process that allocates cost based on GDP to the participating states. For example EUFOR Operation ALTHEA in Bosnia has annual common costs of 27 million Euros that is paid through the Athena process. On the other hand majority of spending is done by member states, so although there is funding of key functions from a single multinational source this category can only be rated as being at a medium level of integration which is scored as a 3.

When all of the scores of the categories of the independent variable are taken together (Category 1=1, Category 2=3, Category 3=2, Category 4=2, Category 5=3.3, Category 6=3) the result is an average score of 2.38 which indicates a low level of integration overall.

The continuation of integration in European defense appears to be on solid footing. The greatly consolidated defense industry and common defense market indicates that the capacity to produce military capabilities is increasingly integrated. The measurement of the independent variable demonstrates that some portion of the EU military is integrated at a low level. This level of integration appears to be on the rise, especially if elements of the Lisbon Treaty such as 'permanent structured cooperation' and the SAFE concept begin to be adopted. The EU is a functioning government composed of independent states that have voluntarily and formally merged portions of their sovereignty. This merger (Maastricht Treaty) took place five years after the Hague Platform began the process of defense integration. The final result then is that, according to the definition of this paper, the EU is an Amalgamated Security Community, albeit a partially integrated weak ASC which may suffer from the problems noted in chapter three.

## **Chapter 6. Analysis of Amalgamated Security Communities cases**

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### **6-1. Review**

#### **6-1a. Definitions and Delimitations.**

Amalgamated Security Communities (ASC) largely have been ignored by the academic community except as a side note when the origins of Pluralistic Security Communities are examined. This is because as Adler and Barnett noted in their seminal work on Security Communities, Deutsch's conceptualization of security communities "scared off future applications" because of its "various theoretical, conceptual, and methodological problems" which, although addressed by their work on Pluralistic Security Communities, they clearly indicated that these problems for Amalgamated Security Communities were not addressed in their work.<sup>1149</sup> Furthermore in *Political Community and the North Atlantic Area* Deutsch found that Amalgamated Security Communities were more difficult to attain and preserve than Pluralistic Security Communities. He also found that ASCs were much more prone to violent failure so that Pluralistic Security Communities provided a more promising approach to the elimination of war over large areas.<sup>1150</sup> These problems identified by Deutsch, along with Adler and Barnett's work focused on Pluralistic Security communities, have resulted in Amalgamated Security Communities being ignored. This paper on the other hand is focused squarely on Amalgamated Security

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<sup>1149</sup> Adler and Barnett, eds., *Security Communities*, 8, 30.

<sup>1150</sup> Deutsch, et al., eds., *Political Community and the North Atlantic Area*, 28-31.

Communities and accepts all of the work done by Adler and Barnett in *Security Communities* and believes that their work on Pluralistic Security Communities can be applied to ASCs except for one particular area. According to Adler and Barnett one of the indicators for tightly coupled Pluralistic Security Communities is: “A *high level of military integration*.”<sup>1151</sup> Substituting military cooperation in lieu of military integration in the description of tightly coupled security communities makes the description more precise and corresponds better with multiple actors in a pluralistic security community. In making this change a differentiation can be made between tightly coupled security communities and Amalgamated Security Communities where ASCs are characterized by having *some level of military integration*. The operational definition for Amalgamated Security Communities proposed by this paper is: Amalgamated Security Communities are states (de facto or de jure) composed of two or more previously independent political entities that have integrated a portion of their respective militaries and that have voluntarily and formally merged so that they are subject to some form of common government.

Besides the proposed definition for Amalgamated Security Communities the scope of this study is restricted to looking only at ASCs. The cases chosen were restricted to those in which the various previously independent political entities voluntarily and formally merged. This excludes cases in which political entities were conquered or forcibly absorbed. This restricts the potential number of possible cases; on the other hand there are a sufficient number of instances in different geographical areas, in different cultures, and in different time periods so that investigating Amalgamated Security Communities seems to be a worthwhile endeavor. Excluded from consideration were some cases included by Deutsch in his work as examples of Amalgamated Security Communities (e.g. the union between Sweden and Norway) because they did not meet the criteria under the definition for ASCs in this study of voluntary amalgamation with some form of military integration.

### **6-1b. Theory**

As reviewed in Chapter 1, the official explanation for the creation of an EU Security and Defense Identity (ESDI) as a European pillar of NATO is completely undermined by the evidence of diminishing defense

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<sup>1151</sup> Adler and Barnett, eds., *Security Communities*, 56.

spending as would be expected by public goods theory in which free riding by EU states would increase as the result of the lack of a serious military threat. Other major theories of integration (Federalism, Functionalism, Neo-functionalism, and Transactionalism) also fail to explain not only what is happening with the creation of the ESDI but also do not shed any light on the formation process of Amalgamated Security Communities. Realism, Neo-Realism, and Neo Liberalism, other dominant theories in international relations are not able to address Security Communities or the process of Amalgamated Security Community formation. Realism and Neo-Realism cannot explain cooperation in a system of anarchy outside of Balance of Power Politics and Neo Liberalism can only go as far as describing collective security; not the process of amalgamation. Through the process of elimination of other theories of international relations and integration theories, Constructivism is left as the potential theoretical explanation for the creation of Security Communities and the process for the formation of Amalgamated Security Communities. Adler and Barnett's work approaches the topic from a constructivist perspective and this work seeks to build upon what they did.

Constructivism highlights the process of how ideas and identities are created, how they evolve and how they shape the way states and political entities understand and respond to their situations. The interests or policy choices of political entities and actors are not assumed to be identical but are constructed by the interplay of culture, norms and identities of each political entity and its relationship to other political entities. Constructivism stresses the importance of norms, identity, and culture in how policies of political entities are chosen. Constructivism as an approach proposes that subjective ideas shared among actors determine the interests and identities of those actors. This is because these shared ideas (e.g. what constitutes self and other) give meaning to material objects and forces. Meaning or purpose is therefore constructed from the shared perceptions of identities and interests which are in turn ideationally based. These identities and interests shape the behavior of actors, and this behavior either reinforces existing ideas about their identities and interests or gives new meaning to them. This intersubjective knowledge is the basis for a structure constraining and shaping behavior through social interaction. Through a socialization process actors 'co-constitute and co-determine' each other within this

structure. So though the structure shapes the actors, the structure itself is also constructed and altered by the interaction of its constituent actors. This portrays actors as having identities and interests that are both historically path dependent, yet also highly changeable depending on the context and behavior of other actors. An actor can change its identity and interests either in reaction to other actors, or as an act of will to change a structure that is disadvantageous.<sup>1152</sup>

This study argues that it is the decision to become “brothers-in-arms” that is crucial to the development of an “us” vs. “others” identity. It is military integration that creates and reinforces a new identity among and between amalgamated political entities rather than being a byproduct of an identity. This identity cannot fully develop without the assurance that the members of the security community are not only not a threat but are in fact fighting to defend the collective whole together as part of a force that is in some way integrated rather than each constituent providing military forces separately. This connection between military integration and identity formation is a critical foundation of this study.

#### **6-1c. Identity process and Military Integration**

What is the connection between military integration and identity formation? The first and critical point is that this connection is focused on collective identities, not individual identities. The argument of this paper is based on the impact of integrating military organizations not on individual psychological identity mechanisms; although those do have some effect. The focus of the argument is on the integration of *organizations* and *structures* that determines who is a soldier, for whom the soldier fights, and what agency equips, trains, and organizes those soldiers. The process of the creation of Amalgamated Security Communities is through the integration of military structures which then has a subsequent impact on identity formation,

This is similar to the argument made by Ronald Krebs that rejects the concept that national identity is an aggregation of individual identities and therefore the idea that individual psychological

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<sup>1152</sup> Refer to: Alexander Wendt, *Social Theory of International Politics* (Cambridge, U.K.: Cambridge University Press, 1999); Ted Hopf, “The Promise of Constructivism in International Relations Theory,” *International Security* 23 (1998).

mechanisms are tied to the construction of national identity.<sup>1153</sup> Krebs argues that since national identity is a collective identity resulting from a process of political contestation and negotiation that the military as an *organization* has a critical role. The military as an organization can participate in the process of political contestation which shapes and reshapes imagined national identities. Krebs does allow that military service has an impact on individual identities through socialization and contact, but his critique is that they have only a modest effect and are not sufficient to form a collective identity.

Second, militaries have particular functions that are related to the formation and reinforcement of collective identities. One is the role they play as an institution in the community. Military institutions are “formal bounded frameworks of rules, roles and identities.”<sup>1154</sup> This includes but is not limited to aspects such as laws, regulations, standard operating procedures, professionalism, ritual, ceremony, and symbols.<sup>1155</sup> This is a part of military culture that extends back to primitive warrior bands before recorded history that continues today. They bind individuals within a military force to each other and are critical in developing unit cohesion and willingness to fight for each other. They also have a wider application in the community they defend when the armed forces incorporate rituals, ceremonies and extensive symbolism designed not only to create, but also to affirm, a communal identity. In terms of collective identity, rituals serve both an integrative function as well as to delineate distinctions. Rituals do not however, have to be separate from common group practice on special occasions; they can function to affirm group identity when common practice is ritualized.<sup>1156</sup>

Other functions that are related to the formation of a collective identity by military organizations and structures are illustrated in part by the concept of Military Legitimacy as outlined by James Gow,

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<sup>1153</sup> “Nations are collectives, and processes of “collectivization” (as opposed to aggregation) are necessarily political, as groups negotiate and continually renegotiate the boundaries of their community.” “First and foremost the product of intergroup contest, the nation does not spring whole from individual decisions with regard to affiliation. The internal structures of militaries can exert a profound impact on their surrounding society and politics and even on the definition of the national political community, but not through apolitical and individualist mechanisms such as formal socialization and informal collaboration and communication.” Ronald R. Krebs, “A School for the Nation? How Military Service Does Not Build Nations, and How It Might.” *International Security* 28, no. 4 (2004): 120.

<sup>1154</sup> H. George Frederickson, and Smith Kevin, *The Public Administration Theory Primer* (Boulder, CO.: Westview Press, 2003), 72.

<sup>1155</sup> *Ibid.*, 73.

<sup>1156</sup> Joseph C. Hermanowicz and Harriet P. Morgan, “Ritualizing the Routine: Collective Identity Affirmation,” *Sociological Forum* 14, no. 2 (1999): 197-214.

which has two parts; functional legitimacy and the sociopolitical base of military legitimacy. The sociopolitical base of legitimacy includes all the non-functional tasks given to the military and is divided into three categories; political activity; agency; and the nature of the relationship between the armed forces and society. Political activity is not always present, particularly in liberal democracies, but authoritarian systems do have militaries that participate in the political process either as a ‘party in uniform’ or in the form of praetorian military intervention. Military agency is found in almost all political communities. Collective and organizational aspects of military agency includes the military’s “role as a symbol of political unity; its contribution to the socioeconomic infrastructure of the state; and its operating as an instrument of education and socialization.”<sup>1157</sup> Militaries may function as a symbol of national pride and unity through military tradition and previous actions and it can also be used as an ‘emulative model’ to encourage sacrifice on the part of the population reinforcing national unity through the perception of shared hardships; the military then functions as both symbol and model. A military’s contribution to the socioeconomic infrastructure of a state can be quite significant, especially in a developing country. Military agency that influences individual identity includes its function as the ‘school of the nation through military education and socialization. As indicated by the incorporation of Ronald Krebs critique, socialization and contact through military service has only a modest effect and is not sufficient to form a collective identity. It must be included however, as a junior component of the process.

The most significant sociopolitical basis for Military Legitimacy according to Gow is the nature of the relationship between the armed forces and society. The military must have an ‘identity with a society at large’ in such a way so that its organization and quality reflects the society.<sup>1158</sup> The concept of

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<sup>1157</sup> Gow, *Legitimacy and the Military; The Yugoslav Crisis*, 28-29.

<sup>1158</sup> “Army personnel in an appropriate way must embody values widely held in sectors of the political community – and the armed forces’ composition must be generally representative of social and ethnic cleavages within society. The legitimacy of the armed forces is considered suspect if significant discrepancies exist.” “Some nationalist content is inevitable where one military role is to be a national symbol, one of the ‘trappings of national sovereignty’. But this is not the limit of such a role. The nationalist element is important in generating community support of the military. As stated already, the armed services’ legitimacy is dependent, to some considerable extent,



Military Legitimacy helps to illustrate why the process of military integration ties to the process of identity construction. The sociopolitical base of military legitimacy and the nature of the relationship between the armed forces (as an entity) and society are the relevant points. Consider the new integrating military force of an Amalgamated Security Community that is being formed. Besides a direct political role, an integrating military could be conducting numerous functions of military agency simultaneously, playing a role as a symbol of political unity, engaged in building the socioeconomic infrastructure of the state, and at the same time performing activities directly related to education and socialization. A new integrating military force of an Amalgamated Security Community will have a relationship with its society. The nature of this relationship between the military and society involves the reflection of the society by the military in its organization and quality, and the identification of the population with the military. The result is that the military's identity as an entity reflects the society and the society's identity (i.e. national unity) is impacted by the military. This process then involves an intersubjective construction of identity between the military and its society and should be more salient during the process of creating a new Amalgamated Security Community than in an established society.

Third, there is a distinct mechanism through which the military, as an organization, facilitates the creation of a new collective identity as a byproduct of the integration of the militaries and the capacity to produce military capabilities of previously separate political entities. The process of military integration (in contrast with military cooperation) reduces the range of identity choices available to a population. Research regarding social identity and self-categorization theories found that when people identify with broader groups they deemphasize competition, conflict, and negative assessments among the members of subgroups nested within those broader groups, and that when people re-categorize others from being members of an out group to being members of a shared in-group, the same biases that increase the positive assessments of in-group members will be directed toward these new members of their in-group. In terms of policy, when a sub-group identity is salient, e.g., an individual state, the focus will be on the

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on their congruence with the society that spawns them. Patriotism increases the identification of the population with the military. Even within army ranks, it is the fountain-head of political loyalties in the junior cadre." Ibid., 30-31.

consequences of a policy for that state, whereas if a superordinate identity is salient, e.g., the nation, then the focus will be on the consequences of a policy for the nation.<sup>1159</sup> The relationship of this work to the process of military integration is that the process of integration eliminates the sub-group identity of local or sub-state military forces leaving only the superordinate identity of national military forces; i.e. the forces of the Amalgamated Security Community. The structural choice of integrating military forces has an impact on potential identity formation by eliminating a previous identity carried by the former military organization and substituting a new identity associated with the new military organization. This mechanism in turn reinforces the new collective identity in an Amalgamated Security Community. Therefore, as the number of common (integrated) military institutions increases the sense of “us” or a common bond of identity will increase. This proposed process of identity development based on the integration of military capabilities and the capacity to produce military capability will, over time, produce an increased sense of identity in the context of state formation. Military institutions, shared combat experiences, the perception of being “brothers in arms”, and above all integrated military structures over time will engender a sense of identity in contrast to “others” who are not part of the community. In this manner military integration would lead to identity formation rather than identity producing military integration as previously considered by other scholars using a Constructivist approach. It is also important to note that the military is seen by some scholars as a crucial component of national identity.”<sup>1160</sup> It seems clear that how military capabilities are created and the structure of jurisdictions that have the capacity to create military capabilities has a direct impact on the identity of that force and the state or political entity.

#### **6-1d. Research Design.**

As explained in Chapter One, this study uses a Multiple Case Study design that examines the process of integrating military forces and capabilities to generate military power in the context of the

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<sup>1159</sup> John E. Transue, “Identity Salience, Identity Acceptance, and Racial Policy Attitudes: American National Identity as a Uniting Force,” *American Journal of Political Science* 51, no. 1 (2007): 78-91.

<sup>1160</sup> Melissa T. Brown, *Designing GI Joe: Congress, the Military, and National Identity*. (Prepared for delivery at the Annual Meeting of the International Studies Association, Montreal, Quebec, Canada, March 17-20, 2004).

formation of an Amalgamated Security Community. This allows the logic of an experimental design to be followed and results can be generalized although the behavior of the subject cannot be manipulated or controlled. The unit of analysis is the state, including possible states in the context of state formation. The proposition is that once a decision is made to integrate military capabilities, especially the integration of the capacity to produce military capability, an Amalgamated Security Community (a state or state like entity) will form as a result, and that this process is the mirror image of state dissolution. This proposition leads to a dichotomous dependent variable: state formation / state dissolution. For Amalgamated Security Community formation the key act is security integration which is a tipping point, while for state dissolution the key act is security disintegration as sub-state elements establish independent military generation capability. The independent variable is the degree of integration of military capabilities and the capacity to produce military capability. The null hypothesis is that Amalgamated Security Community formation or dissolution can occur without integration of military capabilities or dissolution of military capabilities.

With a multiple case study design each case can assume the role of an experiment as the different variations in the categories of the independent variable outlined below are examined to analyze the resulting change in the dependent variable. The degree of integration of military capabilities and the capacity to produce military capability (independent variable) has been divided into a number of categories that will be used to compare cases. As a review these are:

- Category 1. Military forces; consisting of administrative staffs and operational forces.
- Category 2. Arms production and Technology as a factor in arms production.
- Category 3. Military technology as a factor in operational (combat) forces.
- Category 4. Creation of combat power; Doctrine, Training, Leader Development, Organization, Materiel, and Soldiers. (DTLOMS)<sup>1161</sup>
- Category 5. Use and sustainment of military forces; Command and Control (C2) communications, logistics.
- Category 6. Budget issues regarding public goods and burdensharing.

As explained in chapter one the cross case comparison views the degree of integration (high, medium, low or none scored as 4 through 0) between cases, not the technological, organizational, or fighting

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<sup>1161</sup> Lieutenant General Frederic J. Brown, U.S. Army, Retired, "Imperatives for Tomorrow," *Military Review* 82, no. 5 (September-October 2002).

abilities of various militaries against each other across time periods. In addition these are enduring categories that can examine the issue of integration regardless of the specific time period involved due to the particular nature of organizing men to fight.

## **6-2 Cross Case Analysis.**

The cases examined and examples presented in this study include; the creation of the Zulu kingdom, unification of the Mongols under Genghis Khan, creation of the German Empire, The Dutch Revolt, USA - American Revolution to Articles of Confederation (1775-1781), USA under the Articles of Confederation (1781- 1789), USA 1789 to the Civil War 1861, USA - Military Integration: 1862 to the National Defense Act of 1916, Switzerland, Kurds in Iraq, Hanseatic League, Zollverein Parliament, Yugoslavia, Czechoslovakia, and the European Union. Some examples were not scored by the Independent Variable because they were either known to be completely integrated (USA –NDA 1916, Czechoslovakia) or not integrated (Hanseatic League, Zollverein Parliament) or insufficient information precluded assigning a score (Mongols), but they are included in the study as useful examples. There are 13 scored cases and seven that are not scored resulting in an N population size for this study of 20. Scores of the independent variable range from not integrated, with a score of 0.4, to highly integrated, with a score of 3.96, within a 5 point scale (0-4). The scored cases are shown together below to present a side by side comparison.

### **Integration Scores of the Independent Variable by Case**

Case	C-1	C-2	C-3	C-4	C-5	C-6	Average score
Zulu	3	4	4	4	4	1	3.3 Medium to high
N.G. Conf	3.9	4	4	3.9	4	4	3.96 High
Baden	3	4	4	3.96	4	1	3.3 Medium to high
Württemberg	1	4	4	3	4	0	2.6 Medium
Bavaria	1	0	0	2	4	0	1.1 Very low
Dutch	3	4	4	3.5	3	4	3.6 High
USA Revolution	0.5	1	2	1	2.5	0	1.16 Very low
USA Articles	0	0	2	0.5	0.5	0	0.5 Not integrated
USA Constitution	1	1	2	0	2	3	1.5 Low
Yugo 1945-1968	4	4	3.5	4	4	4	3.92 High
Yugo 1969-1990	2	4	2.5	2	2.5	1	2.33 Medium
Yugo 1990-1991	0	0	2.5	0	0	0	0.4 Not integrated
EU	1	3	2	2	3.3	3	2.38 Low to Medium

**6-2 a. Initial Observations.** There are a number of observations that can be made based on what cases and examples were found that met the criteria to be considered Amalgamated Security Communities. First, the scope of the phenomena of Amalgamated Security Communities covers a wide variety of circumstances. ASCs are found in almost every geographic area. They occur in numerous different cultural settings. ASCs are found during widely separated and different periods in history, and span widely different economic systems. Second, Amalgamated Security Communities are found in both authoritarian and liberal democratic systems. ASCs are not limited to a Western or Liberal Democratic context. Therefore, as presented in this study, the phenomenon of Amalgamated Security Communities has wide application across the field of international relations, as well as political science in general. This stands in contrast to the current conceptualization of other integration theories as well as Pluralistic Security Communities which seem to be limited to a modern Western liberal democratic context.

There are several common themes that presented themselves as research into each case developed. Not all are present in every case. However, these themes seem to offer an additional way to compare the various cases and therefore should be mentioned. One such theme is that military integration and amalgamation depended on the presence of a key person in several cases. Another is that military / technical innovation played a role in several instances. In several cases military integration was partially based on a restructuring of the social order in the political entity. The presence of an external existential threat appeared to be important in bringing communities together over a period of time to the point of military integration. The political stability of the ASC was also a recurring issue, as Deutsch noted in his original work (political stability being potential division or fracture of the ASC; not issues of succession). These themes have the potential to lead down the path of trying to explain why a particular ASC formed. That is not the point for using them as this study is not concerned with why the decision to merge militaries is taken but rather to illustrate the process and the key role of military integration in the formation of an ASC. Therefore these themes will simply be used to contrast the context of the various cases and illustrate the wide scope as well as some commonalities between ASCs.

## 6-2 b. Strong Amalgamated Security Communities

The cases and additional examples of strong Amalgamated Security Communities should provide clear evidence of how they are formed and the importance of the independent variable; the degree of integration of military capabilities and the capacity to produce military capability. They should show that the key act is military integration and that it is a tipping point in the process. If that is true then it demonstrates that there is a correlation between the proposed explanation and the actual process.

**The Zulu Kingdom** was the first case. It is a non-Western, non-democratic, case with primarily preindustrial technology, as well an economic system based on cattle. Several of the themes noted above were present in this case. The amalgamation process depended on a key individual; Shaka. Shaka was responsible for military / technical innovations that made his military success possible. He restructured the social order of his society away from its basis on clans using an age based regimental system. He also changed the economic structure by his allocation of captured cattle. There was also an external existential threat early in the amalgamation process; the Ndwandwe. However, the key component of this case is the integration of the Zulu and Mthethwa. This merger of the Zulu and Mthethwa was preceded by military integration. Shaka had first transformed every able bodied male Zulu into a warrior on the same basis as one of the warriors from Shaka's Mthethwa Izi-cwe regiment. The merger occurred after the death of Dingiswayo, Shaka's mentor and Chief of the Mthethwa. The Mthethwa military formations looked to Shaka for leadership and merged with his forces voluntarily prior to the merger of the tribes. Following the defeat of the Ndwandwe, only three years after becoming chief of the Zulus and only a year after the death of Dingiswayo;

“The clans began to identify themselves with the Zulus, even to refer to themselves as Zulus, and the clan basis of activity began to fade. The political voices of the future would speak not for two or three thousand clansmen, but for a nation of a quarter of a million”<sup>1162</sup>

In the case of the Zulus, creation of a national identity was clearly based first on military integration. The independent variable in this case shows that Shaka's reforms led to a significant level of military

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<sup>1162</sup> Morris, *The Washing of the Spears*, 64.

integration. This military integration is what led directly to the construction and spread of the Zulu identity.

**The Mongols** under Genghis Khan provides another example of a non-European, non-democratic, aggressively expansionist entity formed by an initial voluntary amalgamation with interesting parallels to the Zulu case in the story of Genghis Khan's rise to power and methods to reorganize society. Amalgamation depended on a key individual; Genghis Khan. Genghis Khan also faced an external existential threat early in the amalgamation process. Like Shaka he developed elements of his government administration and was responsible for military innovation (the reorganization of the army) that made his military success possible. Genghis Khan referred to his people not by any ethnic or tribal name but as 'the People of the Felt Walls' constructing an identity for a group that came from different clans.<sup>1163</sup> He reorganized Mongol society restructuring the social order and integrated the tribes through the organization of his army.

"The entire Mongol tribe became integrated by means of the Army" "Temujin, however, not only utilized the system as a military tactic for war, but he also employed it as the permanent structure for the whole society."<sup>1164</sup>

The example of the Mongols reinforces the findings of the Zulu case; military integration can lead directly to the formation of a new identity as a result of the process of forming an ASC.

### **German unification**

This case is set in a European context but includes several of the common themes noted previously, as well as being in an authoritarian system. Although there was a key person in the process (Bismarck) amalgamation and military integration was not based on, or focused on, him personally as was the case with both Shaka and Genghis Khan. There were other important actors (Kaiser, von Roon, von Moltke) involved in the process as well. This case also includes significant military / technical innovation (telegraph, railroad, breach loading rifle, Prussian General Staff) that made the Prussian army very effective as well as providing methods to tie the Amalgamated Security Community together. The

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<sup>1163</sup> Leo de Hartog. *Genghis Khan: Conqueror of the World*, 42-54. See Also, Weatherford, *Genghis Khan and the Making of the Modern World*, 52-54. See Also; Man, *Genghis Khan: Life, Death, and Resurrection*, 106.

<sup>1164</sup> Weatherford, *Genghis Khan and the Making of the Modern World*, 53.

opposition to unification under Prussian auspices was openly stated to be fear that the social order would be restructured to conform to the needs of the army or what was seen as Prussian militarism. There was no constant or common external existential threat that forced the entities together. In fact various South German states were quite friendly towards both Austria and France prior to unification. This case provides examples of various levels of military integration among the constituent states of the empire which did seem to impact the degree to which political units were able maintain varying degrees of local jurisdiction, power, and ability to raise revenue within in the federal system. Therefore the case of German unification crosses over somewhat into the partially Amalgamated Security Community category as well. Another significant factor in this case was the failure of economic integration to lead to political integration. The Zoll parliament which had some success in economic matters was used by the Southern German states to block anything of significance regarding greater unification. In this case economic considerations and nationalist desires could not overcome political obstacles and local interests to form a German state. The critical path to unification is found during 1866 to 1870 when the only tangible movement toward German unification was military cooperation and limited military integration based on the terms of the treaty ending the war and the offensive and defensive alliances that placed the armies of the South German States under the wartime command of the Prussian King. The effect of military integration overcame tremendous cultural and political obstacles to unification in the case of Germany. Unification was never a foregone conclusion. It was the opportune moment as all the “German” Armies fought against the French that provided the basis for a negotiated constitutional union. The effect of military integration continued to build an overarching “German” identity after the end of the Franco-Prussian war.<sup>1165</sup> This case also clearly supports the proposition that military integration can lead to the formation of a new identity as a result of the process of forming an Amalgamated Security Community.

### **Dutch Revolt to Independence**

The previous cases and examples take place in the context of the warrior culture of the Zulus and Mongols as well as the Prussian state; often seen as the archetype of a militarized society. They also

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<sup>1165</sup> Showalter, *The Wars of German Unification*, 348.



occurred in a relatively short time frame. This case takes place in the context of a non-militarized entity that took quite a long time to coalesce. It includes the factor of mercenary troops. It also involves the creation of one of the first republican (but not very democratic) states in Europe that was non-expansionist in its immediate region (Europe) fighting defensively to preserve its independence. Several of the common themes are present. This case involves several key people; William of Orange, and his son, Maurice of Nassau, but also a key enemy (Philip II) whose decisions set conditions that allowed the Dutch to be successful. Amalgamation and military integration in this case, like the German, was not based on, or focused on, the key people personally but also involved other actors. This case involved military innovation when Maurice of Nassau reformed the army and truly integrated and standardized it. The presence of an external existential threat is very prominent in this case. The governing capacity of the Dutch ASC was solid and survived the assassination of William of Orange. The main challenge to political stability involved the generation of military capabilities by constituent provinces outside of the control of the Captain-General of the Army and the States General. This significant challenge was based on the jurisdiction over who controlled the capacity to generate military capabilities. Once the issue was decided it established the absolute right of the States General to create military capabilities. This case involves an Entrepôt economy which differs from other cases. Their diversified economy and predominant position in trade and finance along with sound credit was crucial to the United Provinces long term military success. There was also an interesting parallel to the United States case in that the States General was responsible for some territories directly; the so called Generality lands which were outside the boundaries of any province. The US case involved land administered by the federal government under the Northwest Ordinance; which essentially made it fiscally solvent. In a reform similar to what was implemented by Shaka and Genghis Khan, Maurice of Nassau replaced command based on social relationships to one based on a system of standardized rules and universal discipline. Officer commissions depended on knowledge and competence. This led to a restructuring of the social order based on the military in a long term sense by reducing the importance of social standing vice competence. This case also heavily involved naval warfare and all of the admiralties were integrated

federal organizations. It would be a mistake however to conclude that unity or the formation of an Amalgamated Security Community was a forgone conclusion. The provinces that united were a heterogeneous group of political entities with no previous “Dutch” identity. The Union of Utrecht (the founding document) of the United Provinces established a temporary defensive alliance that developed into an ASC over time that created a “Dutch” identity when for a great majority of the time the only strong bond between them was a common military force and a common foe.<sup>1166</sup> This case highlights the construction of identity through military integration.

### **USA Military Integration, 1862 to the National Defense Act of 1916**

Although contained in a separate chapter than the other examples in this section, this segment of US history clearly belongs with the other strong ASCs. This example is quite different from the previous examples. It occurs in the context of an expansionist Western democratic republic with an industrial economy. It does not include any key person, or military / technical innovation. There is also no restructuring of the social order in the political entity based on the military. There is no external existential threat in this case. The political stability of the ASC is resolved by the Civil War and is not in question during this period. Like the Dutch case the process of military integration leading that created a strong ASC takes place over an extended period of time.

The process of military integration started with the limited conscription of the Civil War period but did not really get going until the late 1870s when the National Guard movement began to transform the state volunteer militia units. The Spanish American War and the conflict in the Philippines showed a transition in the process of the generation of military capabilities when federal volunteer regiments were directly recruited, trained and organized by the federal government. These volunteer units set a precedent

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<sup>1166</sup> “The provinces that adhered to the Union of Utrecht, did not constitute any obvious natural unit. The frontier between rebel and Spanish-occupied territory did not correspond originally to any national, religious, social, historical, or linguistic division. In an era when men thought that religious unity and political unity went hand in hand, the northern provinces contained at least as many Catholics as Protestants. The Union itself was a military alliance of seven very different provinces with different interests and strongly separatist instincts. It was essentially a defensive reaction against Spanish oppression, **not the outcome of a positive Dutch national feeling which already existed.**” Haley, *The Dutch in the Seventeenth Century*, 12.

used to create national citizen soldier armies.<sup>1167</sup> The Dick Act of 1903 repealed the Militia Act of 1792 and mandated that the National Guard receive federal support. The National Guard was given equipment and modernized, officers attended Regular Army schools, joint maneuvers and training were held at federal expense including the National Guard soldier's pay. In exchange for federal support the National Guard was required to follow Regular Army standards for training, equipping, and organizing its units or lose federal funding. In 1908 the President got the power to call the National Guard directly into federal service without a time limit. The National Defense Act of 1916 completed the process of military integration. The act reaffirmed the obligation of universal military service as an obligation to the *nation*. The War Department determined the organization of the National Guard, imposed uniform enlistment contracts, set standards for officer's commissions, and increased training requirements. National Guard soldiers were required to take both state and *federal* oaths and could be drafted into federal service.<sup>1168</sup> This made the National Guard a partly federal and partly state force in peacetime but completely federal in time of war. This federalization of the National Guard made it an extension of the Regular Army. The National Defense Act of 1916 put an end to multiple jurisdictions having the capacity to produce military capability in the United States. This created a strong Amalgamated Security Community.

This review of the process of the creation of this strong ASC (from a weak partially integrated ASC prior to the Civil War) shows that the process was based on bureaucratic contestation between the supporters of a central federal force and those who wished to retain the capacity to generate military capability at the state level. In exchange for increased funding, equipment and training the supporters of the National Guard accepted conditions that stripped the National Guard of its autonomy as well as its local identity. It is from this example that the shift in identity focus can be seen as previously local forces were made into state troops and then federalized National Guard units. Mass conscription ensured that the military was seen to be a national force rather than a collection of various state and local units with local identities. This example supports the proposition of the construction of identity through military

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<sup>1167</sup> Linn, *The Philippine War: 1899-1902*, 125.

<sup>1168</sup> Weigley, *History of the United States Army*, 344-350. See Also; Lyons and Masland, "The Origins of the ROTC," 1-12.

integration. The process of military integration eliminated the local and state military forces as actors as well as sub-ordinate institutions leaving only the superordinate national military as a force for boosting national identity in a strong Amalgamated Security Community.

The case of the “Richardson Light Guard” in Massachusetts demonstrated the effect of the integration process on identity. As the unit progressed from being supported by the town to the state and finally the federal government, the identity functions shifted focus from the local and state to the national level. This is an important example that highlights how an incremental process can integrate military structures by changing funding, equipment, training, organization etc... (categories of the independent variable in this study), apparently to make these forces more militarily effective. This method of turning local and state militias into a “National Guard” (even the name change implies a super-ordinate identity) may be a useful road map to integrate other partially integrated ASCs.

#### **6-2 c. Partially Integrated Amalgamated Security Communities**

In “Political Community and the North Atlantic Area”, Deutsch found that Amalgamated Security Communities were significantly more prone to disintegration or failure than Pluralistic Security Communities, and that disintegration tended to be quite violent in a number of cases. This resulted in Amalgamated Security Communities being ignored in favor of Pluralistic Security Communities as a potential mechanism to reduce the probability of interstate conflict. This is unfortunate because it removed from consideration, and any possibility of understanding, why Amalgamated Security Communities would be prone to violent breakups. Understanding why this happens could be quite valuable in informing both the academic community as well as policy makers so that measures could be taken to prevent such violence and bloodshed.

Having more than one authority with jurisdiction over the creation of military capabilities and the capacity to produce military capability within an Amalgamated Security Community is what defines it as partially integrated. A weak or partially integrated Amalgamated Security Community will therefore be at a fairly low level of military integration. The cases and additional examples of weak or partially integrated Amalgamated Security Communities demonstrate the importance of the independent variable;

the *degree* of integration of military capabilities and the capacity to produce military capability. They show that partial military integration has repercussions not only in regard to identity development but also to the political development of the ASC and its political stability. If there are different outcomes for weak or partially integrated Amalgamated Security Communities than for strong ASCs, then that would validate the distinction made in the independent variable regarding the importance of the *degree* of integration. It also shows that there is a correlation between the proposed explanation and the actual process.

### **American Revolution to Articles of Confederation (1775-1781)**

Deutsch pointed to the USA as the prime example of an Amalgamated Security Community in “Political Community and the North Atlantic Area”.<sup>1169</sup> On closer examination the USA was found to have passed through several different phases and that each should be its own case. In this case, the period from 1775-1781 highlights several important points that reinforce the argument of this study. On the other hand the themes mentioned previously only partially are seen in this case. Of course George Washington was an important figure but integration was not based on him personally and there were numerous other actors in the process. There was no military or technical innovation in this case nor was there a restructuring of the social order. There was however an external existential threat to bind the constituent political entities of the colonies / states together. The political stability in this case was very fragile with a real possibility of fracture.

That brings up the very first point; in this case there was not an ASC that meets the definition proposed by this paper.<sup>1170</sup> The states had not voluntarily submitted to some form of common government. Congress did not function as a government during the American Revolution prior to the ratification of the Articles of Confederation. It did not have any administrative capacity, coercive capacity, or legislative ability. Although it appeared to accept the responsibility for “national” financial

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<sup>1169</sup> Deutsch, et al., eds., *Political Community and the North Atlantic Area*, 6.

<sup>1170</sup> Amalgamated Security Communities are states (de facto or de jure) composed of two or more previously independent political entities that have integrated a portion of their respective militaries and that have voluntarily and formally merged so that they are subject to some form of common government.

obligations, Congress could not tax, raise revenue from commercial sources, or set monetary policy to finance the war effort, but was kept afloat by loans from foreign governments. There was no common government but rather an assembly of representatives of independent states that worked to coordinate their efforts against a common enemy.

The Second point in this case is that the colonies / states are the entities that had the jurisdiction and capacity to create military capabilities through the militia system. There was no real ability to create significant military capabilities outside of that system based on multiple jurisdictions. The states created the forces for the Continental Army as well as forces for the parallel conflicts against Native American tribes and the loyalist/Tory forces. States refused to organize their units to match Continental Army standards. The colonies / states also provided their own naval forces. One clear identity issue was the refusal of units and soldiers from different colonies to serve together in the same unit except where another identity was salient such as frontiersman or German-American. It was politically popular to credit the state militia forces with carrying the main burden of fighting the British and to denigrate the contributions of the Continental Army. This view of the militia as the primary fighting force vs. a standing regular army was the critical debate as the USA developed into an ASC.

The third key point in this case is that there was some military integration in this case at a very low level. Washington was able to integrate some elements of the Continental Army such as specialty units, support elements, equipment (French supplied), doctrine and training. The military integration in this case was based on military necessity to fight the British. This military integration was not based on a decision by the constituent states to integrate their military forces or their capacities to produce military capabilities. Because it was not based on a political decision to integrate it could only have a limited effect and did not cause a tipping point to occur to form an ASC.

### **Articles of Confederation (1781- 1789)**

This is a continuation of the preceding case but it is distinct. The common themes mentioned previously only apply to a small degree in this case. George Washington plays an important role but it is in addition to numerous other actors in the process. There was no military or technical innovation in this

case; no restructuring of the social order, and the external existential threat was basically eliminated. On the other hand the political stability in this case was also very fragile with a real possibility of fracture.

The antipathy towards keeping a standing army was increased by the confluence of the three events; the Newburg Address, the Philadelphia mutiny and flight of Congress, and the Society of the Cincinnati. In June 1784 Congress dismissed all of the remaining troops from the Continental Army except for fifty-five caretakers at West Point and twenty-five at Fort Pitt.<sup>1171</sup> At this point there was effectively no integrated military force whatsoever; all of the administration and field forces that had been constructed for the Continental Army during the war were gone. This end to any military integration is reflected in the measurement of the independent variable which is an average score of 0.5 indicating an almost non-existent level of military integration in this case. In fact it is less than half the score of 1.16 for the very low level of military integration achieved out of military necessity in the previous case. With no military integration this case cannot be considered as an ASC.

The Treaty of Paris that ended the conflict recognizes a plurality of states not a single political entity called the United States. The Articles of Confederation ratified in March of 1781 created a formal defensive alliance among the states. Congress was the only national level organ but it existed as an assembly of state representatives. It was not a government but the agent of the states. However, a “national” domain was created by the Northwest Ordinance (similar to the Dutch Generality lands) and a limited “national” bureaucracy was developed that allowed the new government to begin to function in 1789. Again, with no government and an almost non-existent level of military integration this case does not meet the requirements to be an Amalgamated Security Community in this paper.

This case illustrates a key point regarding the differentiation made at the beginning of this chapter between tightly coupled pluralistic security communities and Amalgamated Security Communities. It validates the distinction made between a high level of military integration and a high level of military cooperation. Military cooperation is clearly not the same as military integration. To create the conceptual space necessary for examining the process of creating Amalgamated Security

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<sup>1171</sup> Wright, *The Continental Army*, 182.

Communities this distinction must be seen as real and having different outcomes. This case illustrates this distinction. The decrease in military integration to an almost non-existent level in no way impacts the continued military cooperation required by the formal defensive alliance established under the Articles of Confederation. This lack of military *integration* does not prevent the United States under the Articles of Confederation from continuing to evolve into a tightly coupled pluralistic security community. There was a continued high level of military cooperation (e.g. the states provided the officers and units for the First American regiment) while military integration dropped sharply after the war. Establishing government under the constitution with the ability to raise armies moved the United States from a tightly coupled pluralistic security community to a partially integrated Amalgamated Security community.

#### **USA as a Partially Integrated ASC; 1789 to the Civil War 1861.**

This case demonstrates the danger of political instability caused by the partial military integration of an ASC. This case is a continuation of the previous two but the only recurring theme here is political instability (e.g. Nullification crisis, Hartford Convention). This case is a clear example of a partially integrated Amalgamated Security Community in which the central government does not have the preponderance of capacity and authority to generate military capability.

Although the adoption of the US Constitution formed an ASC through the voluntarily amalgamation of the constituent states subject to a common federal government, there was only partial military integration. Congress was able to collect taxes and borrow money necessary to raise and support navies and armies as well as establishing rules for regulating them. However, the nationalists' attempt to have a nationalized militia failed. The result was that multiple land forces were institutionalized by the Constitution; the state militias and the federal army.<sup>1172</sup> The Regular Army, while integrated and standardized, was only *one* of the military forces of the United States during this period and must be considered as a separate force that had to work with other forces generated by the states. The capacity to produce military capability was retained in multiple locations subject to multiple jurisdictions.

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<sup>1172</sup> U.S. Constitution. See also; Millett and Maslowski, *For the Common Defense: A Military History of the United States of America*, 93.



This non-integration of the militia was a political choice by the constituent states. It was the ideology of the early republic that so feared standing armies and the possible tyranny of a powerful central government that resulted in the continued control of the states over their militia. Furthermore, this ideology inherently maintained that state control over the militia was considered essential *in order to be able to oppose the central government*. The provision and maintenance of a tool whose purpose was justified politically as necessary to fight against the central government became a self fulfilling prophecy. This ability of each state to generate military capability gave it the means to back up its claim to sovereignty.

The danger posed by Amalgamated Security Communities that are only partially integrated militarily comes from there being only a partial trust between the constituent elements of an ASC. The components of the community do not trust each other enough to become fully integrated and reserve to themselves the means to engage in civil war should the various components of the community enter into a vicious cycle of increased distrust. Partial military integration reflects a stagnation of the virtuous cycle of trust between communities as they go through the process of forming an ASC. This has the potential for violent fracture because the constituent components retain the tool (military capability) to choose violence. Furthermore, partial military integration stymies the formation of a new identity that surpasses the old identities. Having multiple military forces allows for multiple identities; an identity at the federal level reinforced by the federal military, and a state identity reinforced by the state militia. The division of families and brother fighting brother boil down to the availability of multiple choices of identity, and those choices were available directly because of the multiple jurisdictions with the capacity to produce military capability.

While the score of the independent variable is an average of 1.5 which indicates a low level of military integration this does not negate the fact that the U.S. was an Amalgamated Security Community by the operational definition of this paper. Despite the low level of military integration overall, the naval force, coastal defense works, and the US Army were very much integrated and were supported by the central government for the benefit of all the component states. The key in this case is the part of the

operational definition that ASCs have integrated *a portion* of their respective militaries. It is the multiple jurisdictions with the capacity to create military capabilities that made the U.S. a partially integrated Amalgamated Security Community in this case.

### **Switzerland**

This is another example of a partially integrated Amalgamated Security Community that illustrates that the dangers outlined above exist in other cases under different conditions. Its transition to a strong ASC also supports the proposition that strong ASCs are created by having complete military integration. In addition it clearly supports the proposition that the military as an organization has a significant role in identity formation. One feature of this example is that there are clear cultural, religious, and linguistic cleavages between the various Protestant, Catholic, German, French, and Italian Cantons. In addition several of the common themes are present in this example. General Dufour was a key person in the resolution of the Civil War in such a manner as to make a quick reconciliation and preservation of the union possible. There was a military technical innovation in the establishment of the initial ASC of Swiss Cantons as they used pike formations to defeat the Austrians. There was also a long term external existential threat posed by the Hapsburgs. As the military technical innovation of pike infantry made them famous as fighters there was some restructuring of the social order as the cantons hired their militia out to foreigners as mercenaries. There was also a restructuring of the social order as Switzerland became “a nation in arms” after 1848. The political stability of the Swiss Confederation as an ASC was fragile given the various religious and cultural cleavages that existed in the country.

The key point of this example however, comes following the Napoleonic Conflicts when the Federal Pact of 1815 reinstated multiple jurisdictions with the capacity to create military capabilities in Switzerland; there was an on call federal force and multiple cantonal militias. This permitted various cantons to choose to resort to force to resolve their differences with the other cantons and led directly to the Sonderbund War of 1847. The Constitution of 1848 changed the nature of the Swiss military organization. It gave the federal government jurisdiction over all manpower and equipment. It made the militia a federal force subject to federal organization, standards, training, legal regulations and dependent

on the federal government for its arms and ammunition. The Swiss Constitution of 1848 eliminated the multiple jurisdictions with the capacity to create military capabilities in Switzerland. This created a strong completely integrated ASC.

There is also an item of identity development as well. The 1848 Constitution transformed the Swiss militia into a nation in arms because each soldier kept his equipment, clothing, and arms at home. Each man was required to attend shooting practice and keep his equipment in good order, as well as attend periodic training. The only exemptions from service were for physical disability or essential government work. This made the Swiss Army very democratic in that all classes, professions, and occupations worked side by side in the Army.<sup>1173</sup> Over time this had an integrative effect.<sup>1174</sup>

Switzerland is a very heterogeneous polity with differences in religious affiliation, urban vs. rural tensions, it is multi-lingual and multi-cultural. It also has a multiplicity of political parties. On the other hand there is a strong Swiss identity. The key common institution after 1848 was the Swiss Army. That doesn't mean that an identity did not exist prior to 1848. On the other hand the cultural societies, shooting societies, and political movements fostered by the liberals and progressives consciously to promote Swiss national identity during the restoration period was not enough to prevent civil war. The cantons maintained sufficient control of the jurisdiction and capacity to create military capabilities so that they could make the choice to pursue their perceived interests by force. In the end, obligatory universal service in the Swiss Federal Army provided a common democratic institution for integration and identity affirmation. As noted by one Swiss official "Switzerland does not have an army. Switzerland IS an

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<sup>1173</sup> Text of the Swiss Constitution found in; McCrackan, *The Rise of the Swiss Republic: A History*, 364-394. See also; Grande, *A Citizens' Army: the Swiss System*, 27-30. See also; Delmé-Radcliffe and Lewis, *A Territorial Army in Being: A Practical Study of the Swiss Militia*, 23-28.

<sup>1174</sup> "In the nineteenth century, the army was a leader in the process of forming a national state and the centralization of state functions at the federal level." Director, Swiss Federal Archives, Prof. Dr. Chr. Graf, and Chief of the 152 EMA Army Archives, Col. Rudolf Jaun. "Introduction to Volume 1" *Index of Sources on Swiss Military History* Translated from French (p.16) and Italian (p.19) by this author. Swiss Confederation, Federal Department of Defence Civil Protection and Sport; *Index of Sources on Swiss Military History Volume 1: Military items of the cantonal archives*. available from [http://www.vbs.admin.ch/internet/vbs/en/home/documentation/emb\\_katalog/chmilarchives.html](http://www.vbs.admin.ch/internet/vbs/en/home/documentation/emb_katalog/chmilarchives.html) Internet; accessed 13 May 2010.

army.”<sup>1175</sup> The impact of the Swiss military on identity formation is particularly impressive given the heterogeneous nature of the country which supports the idea that it must be a very powerful aspect in the formation of a national identity.

### **Kurds in Iraq 1991 to 2010**

This is another example of a partially integrated Amalgamated Security Community that highlights the difficulty of military integration even within an ethnic group threatened by outside forces. It is a case of an ASC being formed within an ASC at a sub-state level that has claim to significant elements of sovereignty. It also demonstrates how critical the issue of constitutional structure regarding multiple jurisdictions with the capacity to produce military capabilities is for policy makers. The common themes found in this case include the presence of an external (to the Iraqi Kurd community) existential threat as well as the political stability of both the Iraqi Federation ASC and the Kurdish Regional Government (KRG) ASC. The key people in this case are the leaders of the main Kurdish political factions (the KDP and PUK) who agreed to merge their organizations under the KRG to form an ASC. There is no military or technical innovation in this case and no restructuring of the social order.

The Kurds in Iraq provides a current example of what claims to be a federal system but includes multiple jurisdictions with the capacity to produce military capabilities. In this instance the multiple jurisdictions are the Government of Iraq and the Kurdish Regional Government (KRG). This example includes the Kurdish forces, the Peshmerga (those who face death) because they are sanctioned as ‘Guards of the Region’ by the 2005 Iraqi Constitution maintained by a recognized regional government and are not an ‘unauthorized militia’. During the process of drafting the constitution the Kurds were able to legalize the Peshmerga while other structural factors ensured that their regional government would have significant autonomy to the point of being almost co-equal to the central government. The KRG views

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<sup>1175</sup> McPhee, *La Place de la Concorde Suisse*, 53.

Note: in 1989 a referendum to abolish the army got over a third of the vote. This led to a reduction in service obligation in a reorganization called ‘Army 95’ and eventually to a drastic overhaul called Army XXI in 2004 that reduced the number liable for continued service almost in half. Switzerland is no longer a nation in arms and the reorganization also eliminated the organizational structures linked to the cantons.

itself as having voluntarily joined the Iraqi state. It also voluntarily had some of its Peshmerga forces join with the Iraqi Army. Because of this the Iraqi state can be seen as a partially integrated ASC.

Protected by the Peshmerga who manned the ‘green line’ (an internal border dividing the KRG controlled area from the rest of Iraq) the Kurdish region became peaceful and prosperous (as well as a de facto sovereign entity). It was in 2006 following the decision to merge the separate KDP and PUK administrations into one regional government (located in Arbil) that the KRG truly became an ASC. This is because the power sharing agreement included the creation of a Ministry of Peshmerga Affairs (i.e. Ministry of Defense). In November of 2009 the integration of Peshmerga forces into one unified army under the control of KRG Ministry of Peshmerga Affairs was announced. The issue of control over Kurd populated areas in the provinces of Tamim, Diyala and Nineveh in 2008 – 2009 nearly led to armed clashes between the Iraqi Army and the Peshmerga. Only U.S. mediation diffused the tensions which resulted in three party joint patrols of U.S. Army troops, Peshmerga, and Iraqi Army units in the disputed areas which continued as of May 2010. This is an indication that the partially integrated Amalgamated Security Community between the KDP and PUK seems to be getting stronger while the partially integrated Amalgamated Security Community between the KRG and the central government in Iraq remains weak. In this example the end result is not clear but the inherent dangers of multiple jurisdictions with the capacity to generate military capabilities would seem to be abundantly clear.

This example also highlights the importance of the *decision* to integrate military forces. There were two decisions. One was to integrate the Peshmerga forces completely into one army under the KRG MoD. The result seems to be the strengthening of the Kurd ASC. The other decision was to integrate a portion of the Peshmerga forces under the control of the Iraqi Army. This decision seems to have created a weak partially integrated ASC composed of the KRG and the Iraqi Federal government. Again this example highlights the importance of the independent variable, the degree of military integration, in the process of forming an ASC.

Identity issues in this case are quite salient between Kurd, Arab (Sunni / Shia), Turcoman, and other groups and may lead to the fracture of the Iraqi state. These issues are complex and would require

an extensive discussion. For the purpose of this paper the Kurd ASC seems to have overcome political divisions between KDP and PUK factions to the point that loyalty is now significantly focused on the Kurdish Regional Government.

### **The EU**

This case was the reason for this entire study as the puzzle of EU military integration led to an investigation of the process of Amalgamated Security Community formation. It provided the basis for the examination of integration theory and an understanding of amalgamation under a supranational government. This case is interesting in regard to the themes mentioned throughout the other cases. In the EU case there is no key person, no military or technical innovation, no restructuring of the social order, and no political instability of the ASC. The external existential threat was gone by the time that the governments voluntarily joined with each other under the Maastricht Treaty. So in this case none of the other themes are present.

In this case there is a lengthy history of overall European integration post World War II, most obviously in the economic arena, but which also extends to “forming an ever closer union.” There is a lengthy history of attempts to integrate European defense, but the real beginning of European Defense integration was the WEU Hague Platform of October 1987. The continuation of integration in European defense under the EU appears to be on solid footing. The fact that there is a greatly consolidated defense industry and common defense market indicates that the capacity to produce military capabilities is increasingly integrated.

The independent variable in this case has an average score of 2.38 which indicates a low level of integration. If the methodology of this study is accepted, then this demonstrates that there is a portion of the EU military that is integrated at a low level. This level of integration also appears to be on the rise, especially if elements of the Lisbon Treaty such as ‘permanent structured cooperation’ and the SAFE concept proposed by the EU Parliament begin to be adopted. This case also shows that the EU is a functioning government composed of independent states that have voluntarily and formally merged portions of their sovereignty. This merger (Maastricht Treaty) took place five years after the Hague

Platform began the process of defense integration. The final result then is that, according to the definition of this paper, the EU is an Amalgamated Security Community, albeit a partially integrated weak ASC which may suffer from problems of political stability (as have the other cases of partially integrated ASCs) although to date that has not happened. This may be the result of the ASC being composed of liberal Western Democracies but that is beyond the scope of this paper.

#### **6-2 d. Amalgamated Security Community Failures**

Amalgamated Security Communities fail in two ways; either they fail to form (potential ASCs that do not coalesce) or they disintegrate and fracture. It is important to investigate failure to form in order to isolate the independent variable (degree of military integration) from other potential alternative explanations for the integration of ASCs. These include integration based on economic or political factors that would occur without military integration and should enable the rejection of potential alternative explanations such as Federalism, Functionalism, Transactionalism, and Neo-functionalism. These are examples where voluntary integration occurred in one area but the integration process was stymied by a lack of military integration. The danger to be avoided here is to prevent the argument presented in this paper from becoming simply a definitional argument; i.e. because Amalgamated Security Communities require some degree of military integration, a lack of military integration indicates there is no ASC. To preclude this, it is important to look at examples where there was the potential to form an ASC initially through mechanisms such as economics and politics rather than military integration and where military integration could have been the result rather than the cause of ASC formation.

The second type of failure is the disintegration of Amalgamated Security Communities. Previous cases demonstrate how Amalgamated Security Communities are formed by the integration of military capabilities and the capacity to produce military capability, as well as the instability and danger stemming from partial integration, in which multiple jurisdictions retain the capacity to produce military capability.

For ASC dissolution the key act is security dis-integration as sub-state elements establish independent military generation capability (the *decision* to dis-integrate would be the tipping point). The examination of this problem is important because it should demonstrate the mirror image of the formation

of ASCs as they break up through the dissolution of integrated military capabilities and the capacity to produce military capability. This would demonstrate that the independent variable has validity not only in terms of the virtuous cycle of identity formation as an ASC coalesces but also in the vicious cycle of creating divisions and differentiating between what constitutes us and other as former ‘brothers-in-arms’ become separated from each other.

### **The Hanseatic League**

This case is very important to this study because it is a clear example of a potential ASC that did not form, and it did not form directly because of a failure to integrate militarily. This case takes place over an extended period of time. There are no key people and no military technical innovation. There was no restructuring of the social order but there were several external existential threats over the centuries; the most important being Denmark. Political stability was uncertain during the entire life of the Hanseatic League.

The Hanseatic League absolutely had the potential to become an ASC. First, various scholars prefer to call it a community rather than a League, and it absolutely was a security community that fought wars not only to advance its commercial interests but also in defense of the members of the community. Second, there was an identifiable minimal common identity partly based on citizenship requirements as well as North German language and culture. Third, objections to the possibility that the Hanseatic League could have formed an Amalgamated Security Community might include the lack of sovereignty of the member “city-states” who owed allegiance to multiple territorial princes and that the Hanseatic League was too dispersed and non-contiguous. The answers to these objections is that other contemporary communities of the Dutch and Swiss, that were composed of entities that owed allegiance to different sovereigns, managed to form their Amalgamated Security Communities, and that the Baltic and the rivers tied the Hanseatic League together more tightly than most contemporary contiguous land based states in an era when waterways were the most rapid and efficient method of moving not only goods but moving and sustaining military forces as well. Fourth, although it had a minimal organization it did function as a government; regulating commerce, negotiating treaties, imposing sanctions etc... Scholars have called it



a 'singular institution of the middle ages', a 'community of interests', and an 'organization that resembled a federation but lacked the legal elements of a federation'.

A more fitting potential explanation is that the Hanseatic League was a Pluralistic Security Community. The history of the Hanseatic League clearly demonstrates its evolution from a "nascent community" through an "ascendant" to a "mature" pluralistic security community. There were some elements that mark a tightly coupled pluralistic security community in the history of the Hanseatic League. There is obvious evidence of cooperative and collective security in the various conflicts it fought against external threats. There was clearly policy coordination against "internal" threats. The free movement of people and goods was one of the founding principles of the Hanseatic League. The Hanseatic League however, does not quite meet the criteria to be a tightly coupled pluralistic security community.<sup>1176</sup> The key weakness of the Hansa as a mature pluralistic security community was the failure to identify common threats and take common action in more than a few cases, because it lacked a high level of military cooperation; a key requirement to be a tightly coupled pluralistic security community. The lack of solidarity in foreign policy and military affairs, and pursuit of individual rather than collective interest in terms of threats and willingness to sacrifice militarily or financially within the collective security framework of the Hanseatic League, is recounted time and again as the chief weakness and sign of divisiveness within the league by numerous scholars. The low level of military cooperation was the major impediment to Hanseatic League integration and did nothing to build trust or a common identity; rather it did the opposite and is noted as being part of the reason the Hanseatic League failed to remain united by many authors.

The Hanseatic League failed to transition from a Pluralistic Security Community to form an Amalgamated Security Community (as happened in the US case) primarily because the Hansa failed to participate in any minimal partial integration of military capabilities and the capacity to produce military capability. Although it fought multiple conflicts and defeated Denmark decisively, and had the potential to form an ASC, it was the lack of military integration that relegated it to eventual dissolution.

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<sup>1176</sup> Adler and Bameett, eds., *Security Communities*, 50-57.

### **Zollverein Parliament**

Another example that demonstrates economic integration does not lead to any type of military integration or to the formation of an Amalgamated Security Community is the Zollverein Parliament. This case had the potential to form an ASC because it did form one; but not as the result of economic integration. This example is important because it was created by Bismarck immediately after the Austro-Prussian War with the express purpose of fostering German unification through the North German Confederation under the guidance of Prussia. Bismarck believed that a Zoll Parliament, including representatives from both northern and southern Germany, elected by universal male suffrage, would create a community of interest that would remove prejudices against closer political union. Bismarck based this belief on the fact that chambers of commerce, trade associations, merchants, and industrialists all favored greater political unification in Germany as being economically attractive (much the same way as standardization of regulations and transaction costs in the EU help foster commerce). This logic would seem to reflect most of the proposed mechanisms in various integration theories (Functionalism, Neo-functionalism, and Transactionalism). The reality was that the South German States blocked anything of significance regarding greater unification in the Zollverein Parliament and in several instances dealt a crushing defeat to the German nationalists. It is clear in this example that economic considerations and nationalist desires could not overcome political obstacles and local interests to form a German state.

### **Other cases of failed potential Amalgamated Security Communities**

In the process of looking for failures of potential Amalgamated Security Communities to form it has become evident that there is a lack of empirical evidence (other cases) for any Amalgamated Security Community to have formed through a different mechanism (economic or functional or political integration) that then resulted in political integration which caused subsequent military integration. All the other cases of ASC formation in this study demonstrate a cause and effect relationship in the formation process where military integration precedes or is at least simultaneous with the formation of a common government. This is the beginning of the virtuous cycle of consolidation and identity

construction. These two cases of a potential ASC formation show that economic integration does not have the same effect. What history demonstrates empirically is that other forms of integration without military integration fail to create ASCs. Amalgamated Security Communities empirically are the result of military integration not the cause of military integration. The logic of other integration theories does not lead to the formation of an Amalgamated Security Community.

### **Yugoslavia**

Deutsch found that ASCs were particularly prone to disintegrate and fracture often quite violently. The US case under the Constitution up to the Civil War and the Swiss case both resulted in a strong ASCs rising from the ashes of conflict. More importantly the US Civil War and the Swiss Civil War provide two additional examples of Amalgamated Security Community failures based on the key factor of security disintegration as sub-state elements mobilized an independent capacity to generate military capability. What the Yugoslav case shows is the complete failure of an ASC. It is a key example of an Amalgamated Security Community failure because as an integrated ASC it devolved into a partially integrated ASC and then completely disintegrated. It is also a critical case because there are several competing theories of why the state disintegrated. The alternative explanation for the failure of the Amalgamated Security Community that was Yugoslavia proposed by this study was examined and the critical fact is that military disintegration preceded the breakup and caused the vicious cycle resulting in the failure of Yugoslavia. This makes this case a powerful example of the mirror image of ASC formation; state disintegration. This reinforces the validity of the independent variable as a critical measure.

There are several of the common themes noted previously at work in this case. There was a key person, Tito, who was quite important to the formation of the state and its governance. There was some military technical innovation in the wide spread use of partisans a main pillar of defense. There was an external existential threat for most of the Cold War; the USSR. There was a restructuring of the social order in the political entity during the formation of the Yugoslav ASC. The political stability of the ASC became increasingly volatile after 1968 and the devolution into a partially integrated ASC.

In 1968 regionally organized Territorial Defense units (militia forces) were created and were co-equal to the Yugoslav People's Army (YPA). This resulted in a partial military integration and subsequently in the formation of military and security forces answerable only to the governments in Slovenia and Croatia. These forces then presented the opportunity for Slovenia and Croatia to assert independence in the face of the probable use of armed force by the federal armed forces to preserve the integrity of Yugoslavia. This case is instructive in several ways; there was a Yugoslav identity as well as other strong historic sub-ordinate identities, the YPA saw itself and was viewed as an integrative 'Yugoslav' institution, the YPA was willing to use force to maintain the integrity of Yugoslavia but was constrained by constitutional limits, the YPA recognized the danger inherent in the creation of security forces outside its control responsible only to the constituent republics but was unable to prevent their formation, and the leaders of the constituent republics clearly recognized the ramifications of the creation of their own security forces.

Scores for the independent variable clearly demonstrate a progression of disintegration in the Yugoslav ASC over time. The independent variable for the period 1945-1968 has an average score of 3.92 which indicates a high level of military integration during this period. For the period 1969-1990 the result is an average score of 2.33 which indicates a low to medium level of military integration. For the period 1990-1991 the result is an average score of 0.4 which indicates an almost complete lack of any military integration which is not surprising since the intent of the various constituent political entities was to establish their own separate military forces.

Another key issue highlighted in this case is that the entire process through which Yugoslavia disintegrated is marked by issues related to the structure of the military, its role in society and politics, and its role in identity formation. Starting with the creation of the TDF in 1969, the structure of the military changed from a unified integrated institution founded on 'Yugoslavism' and 'Brotherhood and Unity' that adopted policies to foster a Yugoslav identity, to one in which multiple jurisdictions had the capacity to generate military capability. Furthermore, the failure of the YPA to live up to its vision of itself as a pan-Yugoslav institution due to the overrepresentation of Serbs and the creation of a

‘Serboslav’ culture within the YPA led to a loss of military legitimacy and the rejection of the YPA by other ethnic nationalities as ‘their’ military; the sociopolitical bond between various segments of the population and the military was broken. The rejection of the YPA engulfed the entire Slovene population during the trial of the Ljubljana four. Finally the alignment of the YPA with the Serb government assured that other ethnic groups would consider the YPA to not only be dominated by Serbs but to be a willing instrument used to protect Serb interests. The result was that new non-communist governments in Slovenia and Croatia determined to build their own armed forces to protect their interests. The ASC finally came apart completely when the YPA failed operationally to forcefully keep Slovenia in Yugoslavia. The vicious cycle that marked the disintegration of the ASC is directly related to the creation of sub-state militaries as the prime cause of what destroyed Yugoslavia. It also shows a clear relationship between the military and identity formation of who is “us” vs. “other”. This case supports the proposal that the key act in state dissolution is security disintegration as sub-state elements establish the independent capacity to generate military capability.

### **Czechoslovakia**

The case of Yugoslavia has demonstrated that dis-integration of a previously integrated military led to the violent failure of that ASC, and provides a better description of why that ASC failed than previous explanations. The Czechoslovakian case is critical because all of the literature on the subject proposes that the breakup was caused either by structural weakness of the federation, structural decentralization, economic disparities, regional political parties that mobilized ethnic nationalism, and the actions of particular élites and leaders that caused the “Velvet Divorce.” There is no disagreement that in the end it was a negotiated and reasonably smooth separation. There is also no hint in the academic literature of any involvement by the military or threat of force involved with this ASC dissolution. On the other hand the academic community has a significant problem explaining the breakup. A significant majority of Czechs and Slovaks opposed the breakup of the federation and claimed to have had good relations with the other community. Most supported a referendum on continuing the federation while the politicians opposed it fearing that the people would not agree to the dissolution of the federation. Large

majorities in both republics believed that dissolving the federation would have a negative economic effect. The structure of the government would have seemed to meet the requirements for a consociational political system that protected minorities and enabled sufficient autonomy so that a negotiated settlement should have been the result. The academic response to the peaceful breakup of Czechoslovakia was to propose various explanations; most of them contradictory, and none of them completely satisfactory. The breakup took place within a very short time, during a transition period of uncertainty, while institutions, parties, political leadership and political issues were in a state of flux.

At the time of the Velvet Revolution in December 1989 The Czecho-Slovak ASC had a federal government but in the aftermath of the end of the communist regime the authorities and jurisdictions of the various elements of the federation were in the process of being negotiated. The Slovaks consistently wanted visibility and greater autonomy but did not push for the destruction of the federation. One source of friction was the distribution of the majority of the arms production industry in Slovakia which caused the Slovak government to obstruct federal policies meant to end arms exports and conversion of those facilities to civilian production. This resulted in at least a partial dis-integration of two categories of the independent variable of this study (Category 2 and Category 4).

The Czechoslovakian Military completely lacked any Military Legitimacy. It was seen as an extension of the politically repressive Husak regime and closely linked to the Soviet and Warsaw Pact forces that invaded the country in 1968. It had no legacy of military operations, no credibility as a fighting force and therefore no functional military legitimacy. The Czechoslovak military had no sociopolitical base of legitimacy either. It was not seen to engage in political activity, nor engage successfully in any aspect of military agency, and it had a hostile relationship with its society. Because of this lack of Military Legitimacy the Czechoslovakian Military could not function to either develop or reinforce a super-ordinate identity in the Czecho-Slovak ASC. Not having a military that could perform these functions at a minimum weakened the potential bonds between the two communities leaving the ASC vulnerable to fracture.

The Czechoslovakian Military was also suffering from organizational stress and turmoil resulting from efforts aimed at restructuring, reorganizing, and redeploying the force. Because of this the military was in no position to attempt to affect the outcome of the political ‘divorce’ proceedings in contrast to the Yugoslavia case. Furthermore, the level of military integration was being impacted by various policies. If the measures of the independent variable are looked at in light of this evidence there was at least some dis-integration taking place in most of them. Only Category 3, military technology and Category 6 remained integrated.

A further problem was that the policies enacted to restructure, reorganize, and redeploy the force (Plan 2005 and Defense Law) were serving to ethnically segregate the army on a territorial basis.<sup>1177</sup> Conscripts were to be allowed to serve close to their home area by 1993. The impact is that as the forces were being redeployed the mostly conscript force would result in ethnic Slovak units stationed in Slovakia and ethnic Czech units stationed in the Czech Lands.<sup>1178</sup>

The real pivotal point in the process came about because of the policies advocated by the Association of Slovak Soldiers (ASV). The ASV supported the creation of a Home Guard separate from the federal military under the jurisdiction of the Slovak government. President Havel and the federal Defense Minister spoke out against a Home Guard and in favor of a united federal military. Slovak government officials however, including Meciar, Carnogursky, and the Minister of the Interior continued to support the concept.<sup>1179</sup> Slovakian governmental officials openly advocating and then demanding a separate independent military force was the critical political *decision* and it had an immediate and destructive impact on the bonds of trust between the two communities.<sup>1180</sup> The breakup of Czechoslovakia

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<sup>1177</sup> LTC Thomas, “Armed Forces and the Nation: Searching for Trust in Czechoslovakia,” 52 (underline by this author). See Also; Szayna, *The Military in a Postcommunist Czechoslovakia*, 62-63.

<sup>1178</sup> Szayna, *The Military in a Postcommunist Czechoslovakia*, 54.

<sup>1179</sup> “The calls for the formation of a Slovak Home Guard have a clear secessionist goal. The Home Guard would be a purely Slovak military force already in place if and when Slovakia were to proclaim independence. This seems to be a clear attempt to apply the Slovenian example to Slovakia. ... Thus, calls for the formation of a Slovak Home Guard amounted to the establishment of a nucleus of a Slovak military – a development that moved Slovakia further along on the path to secession.” Ibid., 76.

<sup>1180</sup> “Negotiations between the leaders of the two major parties, Klaus and Meciar, quickly broke down. The issues were predictable; Meciar introduced a proposal for a loose confederation that would permit Slovakia to issue its own currency, carry out its own economic reforms, **and maintain an independent military**. Klaus rejected the idea.

did not require the actual formation of an independent Slovak military, although policy trends would likely have resulted in that outcome. This study argues that the key to creation of an Amalgamated Security Community is the decision to integrate military forces and the capacity to create military capabilities. It was the decision to dis-integrate military forces by the Slovaks, the advocacy for a Home Guard or an independent army that broke up the Czecho-Slovak ASC. In effect the Slovaks declared that they no longer wished to be brothers-in-arms with the Czechs. The Czechs for their part could no longer trust the Slovaks as partners in an ASC after the Slovaks openly announced they wanted a separate military. The Czechs clearly saw the Slovak demands as breaking trust and ending the ASC. On the basis of the results of this case the null hypothesis in this study can be completely rejected.

### **6-3. Results of the study**

The contribution and purpose of this study was to propose a process for the creation of Amalgamated Security Communities; a topic that has received very little attention. It is an attempt to provide a more precise illumination of the specified phenomena of military integration in the context of state formation and does not attempt to reject or replace other theories relating to the formation of alliances, collective security organizations, or cooperative regimes leading to integration in economic or other policy arenas. The argument is that once a *decision* is made to integrate military capabilities, especially the integration of the capacity to produce military capability, an Amalgamated Security Community (i.e. a state or state like entity) will form as a result. A crucial caveat is that the degree of integration of military capabilities and the capacity to produce military capability has a direct and serious impact on the internal coherence, war fighting ability, and survival of the resulting state or state like entity.<sup>1181</sup> In this schema the administration and bureaucracy (or organization) associated with defense activities are critical to preparation for war and the founding of an Amalgamated Security Community. The integration of military capabilities and the capacity to produce military capability is the elemental

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This disagreement led to a rapid disintegration of authority at the center, and the dissolution of the federation seemed to have become a foregone conclusion overnight.” Cox and Frankland, "The Federal State and the Breakup of Czechoslovakia: An Institutional Analysis," 71 (underline, bold, by this author).

<sup>1181</sup> Porter, *War and the Rise of the State: The Military Foundations of Modern Politics*, 5-22.



step in the creation of a state. This is a variation of Charles Tilly's argument that "war made the state; and the state made war,"<sup>1182</sup> in that *preparation for war* makes the state. In the case of defense integration the tipping point or crucial act is the *decision* to integrate military forces and capabilities to generate military power. It is vital to understand that this is an integration of *organizations* and *structures* that determines who is a soldier, for whom the soldier fights, and what agency equips and organizes those soldiers. Moreover, as the number of integrated military institutions increases in an Amalgamated Security Community the sense of "us" or a common bond of identity will increase. This process of proposed identity development is that integration of military capabilities and the capacity to produce military capability will, over time, produce an increased sense of identity in the context of state formation. Military institutions, shared combat experiences, the perception of being "brothers-in-arms", and above all integrated military structures will, over time, engender a sense of identity in contrast to "others" who are not part of the community. In this manner military integration would lead to identity formation rather than identity causing military integration. How the military is created and the structure of jurisdictions for the capacity to create military capabilities has a direct impact on the identity of that force and the nation.

This study set out to examine the phenomena of Amalgamated Security Communities, particularly the process of their formation and how that correlates to military integration and identity formation. Besides finding that this phenomenon of ASC formation has a wide scope historically, geographically, economically, culturally, and politically, there are clearly a wide range of possible circumstances that can lead to the formation of Amalgamated Security Communities. As noted in the examination of cases, formation of an ASC can occur based on a single key person, involve military / technical innovation, include a restructuring of the social order, or involve an external existential threat. An ASC can also form without any of these, and a strong ASC can be the result of bureaucratic contestation. This wide range of circumstances surrounding ASC formation is interesting because it indicates that there is no single path that leads to ASC formation. The only absolutely common factor among the various cases, however, is that for an ASC to form there must be at least some sort of military

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<sup>1182</sup> Tilly, "Reflections on the History of European State-Making," 42.

integration. Also in the cases examined the decision to merge military capabilities and / or the capacity to produce military capabilities occurs prior to, or simultaneously with, political amalgamation.

Furthermore, this result is not based simply on the definition of an Amalgamated Security Community which requires some form of military integration, but on the basis that potential ASCs did not form despite integration in other areas when there was no military integration. This result allows this study to completely reject the part of the null hypothesis that Amalgamated Security Community formation can occur without the integration of military capabilities.

The second result is that the examples of ASC dissolution (Yugoslavia, Czechoslovakia, US Civil War, and Swiss Civil War) allow this study to also completely reject the part of the null hypothesis that Amalgamated Security Community dissolution can occur without the dissolution of military capabilities. Yugoslavia is a key case because the disintegration of the ASC is shown to be directly related to the formation of sub-state military capabilities which would seem to displace the various competing theories of why that ASC disintegrated. The Czechoslovakian case is the critical case because even in a situation where there was no apparent military connection to the failure of the ASC by dissolution noted in the academic literature, the details of this case demonstrate that the degree of military integration was in play and that the decision to demand a separate independent military force broke up the Czecho-Slovak ASC. This case also highlights the importance of the act of *decision* to dis-integrate the military of an ASC. An ASC built on the trust of two communities deciding to become brothers-in-arms is just as quickly torn apart when that bond of trust is broken by the decision by one or more constituent communities to create their own separate military force and capability to produce military capabilities. Until now, there has not been an investigation that approaches the structure of the military as an organization as being a potential cause of the breakup. Only in journals related to military or civil-military affairs is there an indication that this is a possibility. The Czechoslovakian case highlights that this approach is a useful tool even in cases where the military is apparently not directly involved in the dissolution of an ASC. The Czechoslovak case validates that the operative mechanism in the process for both Amalgamated Security Community formation and Amalgamated Security Community failure by dissolution, hinges on the

*decision* to either integrate or dis-integrate military forces and the capacity to produce military capabilities.

The third very clear result is that partially integrated ASCs are politically unstable and prone to violent fracture. This result helps explain Deutsch's original finding that Amalgamated Security Communities were much more prone to violent failure. This was not part of the original proposed argument, but as research progressed into various cases and it became clear that there were weak partially integrated ASCs, it was inescapable that this is an important aspect of the phenomena surrounding Amalgamated Security Communities. The reason for this will be proposed in the next section.

The fourth result is that the relationship between military integration and identity formation as well as the relationship between military dissolution and the fracturing of identity seems to be on solid footing. The correlation between integration of *organizations* and *structures* of military forces and those involved in creating military capabilities and the subsequent formation of identity are born out in all of the cases in this study. This will be explored a bit more below.

Finally, the argument of this paper seems to be confirmed. The cases and examples present in this study demonstrate that once a *decision* is made to integrate military capabilities, especially the integration of the capacity to produce military capability, an Amalgamated Security Community (i.e. a state or state like entity) will form as a result. The crucial caveat (confirmed by cases of partially integrated ASCs as well as examples of ASC failure by dissolution) is that the degree of integration of military capabilities and the capacity to produce military capability has a direct and serious impact on the internal coherence, war fighting ability, and survival of the resulting state or state like entity.

### **6-3a. Military Integration and Identity Formation**

A key aspect of this study is that it takes a Constructivist approach to examine the phenomena of Amalgamated Security Communities. The mechanism and rationale for the linkage between the military and identity formation has already been presented. This fits into the Constructivist approach because the creation of new military organizations and structures allows for the inter-subjective construction of identity within the new boundaries established by these organizations and structures. The reason the key

point is the decision to integrate is that the act of establishing an integrated military (or devolving into a partial integration) is definitional. It establishes new boundaries of “us vs. other” in which the process of inter-subjective construction of identity can develop. It is also clear that there is a time period needed for this to happen. In some of the cases presented, such as the Zulus and Mongols this process is fairly rapid while in others, such as the Dutch, it may take a much longer time. That would seem to depend on circumstances such as the use of social reorganization based on military forces in the Zulu and Mongol cases and the heterogeneous and competitive nature of the Dutch provinces. Regardless, the formation of identities based on military integration is not instantaneous and requires a period for the inter-subjective construction process to take place.

The claim of this study is not that military integration is the only or singularly most important basis of identity. Identity can be based on many factors such as culture, language and religion. What is claimed is that military integration can generate a political identity and is absolutely essential for amalgamation of two separate entities. Examples from this study of the creation of political identities include; The Zulus where clans began to identify themselves as Zulus and the clan basis of activity began to fade with in a year of the Zulu – Mthethwa merger. The Mongols became ‘the People of the Felt Walls’ very quickly as Genghis Khan deliberately created a new identity. A political “German” identity was developed as a result of military integration after 1866, and caused unification in 1871. Dutch identity formed over a long period of time between heterogeneous provinces when the only strong bond between them was a common military force. The Swiss provide another example of a very heterogeneous polity with the military as the main bond between them that developed a strong identity over time.

One part of the argument regarding military integration and identity formation is that those forces united by such military integration become “brothers-in-arms.” A central element of all of the integration theories is the concept of trust. The difference between the theories is in describing how that trust is built over time, either through transactions, epistemic communities, federal structures, or social learning. Trust is developed through an iterative process of interactions over time and is what allows cooperation between states in a system of anarchy. Adler and Barnett plainly acknowledge “Trust” as being the

critical component in the creation of Pluralistic Security Communities which is built up over time through the process of interactions between two separate political entities, and that an accumulation of trust is needed to progress through the various stages in the process of creating a Pluralistic Security Community.<sup>1183</sup> The reason that military integration is so powerful and results in the creation of Amalgamated Security Communities (despite cultural, religious, and local political obstacles), is because military integration is the ultimate level of trust between two political entities. It is deeper than the trust in a Pluralistic Security Community described by Adler and Barnett because at the end of the day any member of that community will still retain the means to defend itself. That is not true within an integrated Amalgamated Security Community. On creating an integrated Amalgamated Security Community the constituent members take an enormous risk. They place everything they treasure, their property, livelihood, and the lives of those they hold dear including their own life, in the hands of what had previously constituted another community. The constituent members of an integrated ASC are absolutely dependent on the forces of the ASC to protect them. They have no means to separately defend themselves and therefore risk everything by trusting in the newly integrated force for protection. Therefore, the reason that the *decision* to integrate the militaries of previously separate political entities is the critical act is because it is the demonstrable evidence of ultimate trust. In this regard the peoples of an integrated ASC become an extended family of brothers-in-arms as they construct the identity and what it means to belong to that Amalgamated Security Community.

What then is to be made of partial integration? Partial integration can be nothing less than partial trust. The risk in partially integrated ASCs is greater than in Pluralistic Security Communities because to some extent the constituent entities must rely on forces and capabilities for their protection that are outside of their direct control. This could be quite disadvantageous and even fatal in a conflict, so there is

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<sup>1183</sup> “Recall that trust always involves an element of risk because of the inability to monitor others’ behavior or to have complete knowledge about other people’s motivations; because the very contingency of social reality. Dependable expectations of peaceful change, the confidence that disputes will be settled without war, is unarguably the deepest expression of trust possible in the international arena.” Adler and Barnett, eds., *Security Communities*, 414.

risk and demonstrable trust by the constituent members of the ASC towards each other more so than in a Pluralistic Security Community. The other side of the coin is that retaining some forces and capacity to create military capabilities clearly indicates some level of distrust; of being prepared for a possible breakup. In terms of identity development it causes multiple identities to be salient for the members of the community since the functions regarding identity formation and sustainment performed by the military occur at two different levels; the ASC and the constituent entity. Both can be active at the same time as was seen in the cases of ASC failure by dissolution (Swiss and US Civil Wars, and Yugoslavia). Partially integrated Amalgamated Security Communities allow the possibility of selecting a sub-ordinate identity or a super-ordinate identity depending on how an issue is perceived. Selecting a sub-ordinate identity either preserves (in the case of formation) or reanimates (in the case of devolution from a strong to weak ASC) cleavages in the polity. If a partially integrated Amalgamated Security Community progresses to a fully integrated ASC (as in the US and Swiss cases) then the sub-ordinate military identity functions are eliminated and the cleavages in the polity can be overcome. Unfortunately, partial trust may create conditions that enhance those cleavages and may precipitate a fracture.

Alternative explanations or theories of integration as noted above are based on trust. Some of them have demonstrated utility in explaining integration in other spheres of human activity such as economic integration or functional integration of transnational policy issues. They cannot however, explain amalgamation in which two previously sovereign entities voluntarily merge. Only military integration of capabilities and the capacity to produce military capabilities produces the conditions that create Amalgamated Security Communities. This is because such integration is the ultimate act of trust between two communities.

### **6-3b. Structure of Capacity to Create Military Capabilities**

The explanation above of why partial integration allows for multiple identities and the opportunity for selecting a sub-ordinate identity or a super-ordinate identity either enhances or mitigating cleavages in the polity is only part of the findings. The real problem is with the retention of military capabilities and structure to create military capabilities or creation of new sub-ASC military organizations

when there is devolution from integrated to partial integration. This study finds that multiple jurisdictions within an ASC with control over military forces and the capacity to produce military capabilities is extremely dangerous and unstable. Absent the means to resort to violence various constituent entities of an ASC have to use other means such as political contestation to resolve policy disputes. Having control over military capabilities and structure to create military capabilities provides a tool for politicians to resort to violence to achieve their political goals by other means. It is also a clear indication of residual sovereignty and the inclination to fracture the ASC if necessary to maintain it. The danger presented by multiple jurisdictions with control over military forces and the capacity to produce military capabilities is an unanticipated finding of this study; but one that has important ramifications. It clearly indicates that how military forces are created, structured, controlled, equipped, organized, and paid, has political consequences. It demonstrates that this is a topic deserving of attention by the academic community, not just military technocrats.

#### **6-4. Impacts**

If the findings of this study are valid then there are impacts on both policy makers and international relations theory, limited primarily to situations involving Amalgamated Security Communities, but in some areas more broadly as well. In the post-Cold War era numerous new states have been formed and others have been reconstituted, and some of them are Amalgamated Security Communities (e.g. Iraq). For policy makers involved directly in this process or outside forces seeking to assist a new or reconstituted political entity in its formation, an understanding that how military forces are created, controlled, organized, equipped, and by whom, has a political impact on the formation of the political entity would seem to be quite useful. Furthermore, an understanding that multiple jurisdictions with control over military capabilities and the capacity to produce military capabilities creates a politically unstable ASC, could persuade policy makers to avoid such an outcome if at all possible or to set in motion measures that could eventually result in full integration. Such understanding could also persuade policy makers to take measures to ensure that an integrated ASC does not devolve into a partially integrated ASC. This might appear to be a restatement of the obvious in that it is already known

that having multiple armed factions within a polity is inherently unstable. The difference is that this study not only points to that instability but also to the way out of that situation. Although most leaders will not be able to reorder their society to match their military structure as Shaka and Genghis Kahn did, they can follow the example of the unification of Germany, Switzerland after 1848, or the US post-Civil War. It may not be possible to directly eliminate multiple jurisdictions with control over military capabilities and the capacity to produce military capabilities. What can be done under the guise of increasing effectiveness and interoperability is to push technical integration, integration of communications, command and control, funding, training etc..., i.e. integrate over time using the categories of the independent variable presented in this study. Making all forces and capabilities subject to national control in times of emergency or war (as in the U.S. case) is also advisable, especially remembering that was done in exchange for assistance in making those forces (National Guard) more effective. If peace is a statesman's noblest objective, it is hoped that in a small way this study therefore has some utility for policy makers wishing to prevent conflicts.

Many scholars of international relations have also sought ways to reduce the probability of interstate conflict. Karl Deutsch and his colleagues were expressly looking for the reason why some communities had stopped fighting each other as they investigated and developed the concept of security communities in order to perhaps lessen the probability of conflict.<sup>1184</sup> Adler and Barnett were following a similar path in focusing on Pluralistic Security Communities as a means to reduce interstate conflict. On the other hand Amalgamated Security Communities were ignored by the academic community because they were more difficult to attain and more prone to violent fracture. The problem then is that the most probable condition that would result in armed conflict, Amalgamated Security Communities, has been ignored. This study, by focusing directly on ASCs and determining the cause for violent fracture, has utility for also determining how violent fracture can be avoided. In this way this study contributes to the goal of international relations theory in helping policymakers avoid violent conflict.

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<sup>1184</sup> Deutsch, et al., eds., *Political Community and the North Atlantic Area*, 4.



Another goal of international relations theory and political science in general is to be able to provide generalizable results that allow the prediction of outcomes. The results of this study do that. By observing the objectively quantifiable level of military integration and whether multiple jurisdictions with control over military capabilities and the capacity to produce military capabilities exist within an Amalgamated Security Community, a prediction can be made regarding the stability of that ASC and the likelihood of its violent fracture. This can be done reliably regardless of the geographic, cultural, and economic context of the ASC and whether it is an authoritarian political regime or not.

This study has implications for international relations theory beyond the confines of cases of Amalgamated Security Communities. If the findings of this study are correct, it places Constructivism as an approach at the heart of the creation of military forces, as well as at the forefront of military fracture and civil war. This is a clear invasion of territory long held by realist and neorealist theories and not truly challenged by previous work. Furthermore, if the findings of this study are correct, it establishes a clear limit for other theories of integration as well as neo-liberalism, by showing that they can explain cooperation but can go no further. This study demonstrates that to explain amalgamation you need military integration from a constructivist perspective. In a concrete fashion this study places constructivism at the crossroads where realism / neo-realism as well as neo-liberalism come closest together (security studies), and demonstrates that constructivism is absolutely essential to achieving an understanding of an important phenomena (ASCs). This echoes Adler and Barnett in their conclusion:

“Our belief is that constructivism enables scholars to overcome the realist-idealist divide and to contemplate the relationship between structures, defined in material and normative terms, the practices that are made possible and imaginable by those structures, the security orders that are rendered reachable within that field, and how those security orders regulate or extinguish the use of force.”<sup>1185</sup>

## **6-5. Conclusion**

This chapter has attempted to weave together the various threads of theory, identity, military integration processes, and cross case analysis to validate the argument that is the basis for this study in such a way so as to form a tapestry that presents a clear picture of Amalgamated Security Communities.

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<sup>1185</sup> Adler and Barnett, eds., *Security Communities*, 437.

This is the end of an endeavor that began many years ago with a desire to understand what was happening in Europe as the EU began to create a European Security and Defense Identity. That has led to what I believe is a very fruitful examination of a heretofore ignored phenomena. The cases and examples presented show that this topic has a wide scope and occurs under a wide range of circumstances, but that some form of military integration is the common factor and that the degree of military integration is crucial. This study also demonstrates the relationship between military integration and identity formation so that a constructivist approach provides the best explanation of the phenomena of Amalgamated Security Communities. The *decision* by previously separate political entities to integrate militarily is so extremely powerful because it is a demonstration of ultimate trust between two communities.

The scope of this study was limited to Amalgamated Security Communities. An examination of the literature on state disintegration indicates that there may be further utility to the methods used by this study. A proposal for further study is to investigate the formation and break up of non-ASC states using the independent variable of the degree of military integration and the categories of the independent variable as outlined in this study.

There numerous significant scholars who have seen the military as a critical element in explaining political phenomena. This study is only a small continuation of the efforts of others in this arena. Investigating the relationship between military structures and the context of their society has the potential to make a significant contribution to the field of political science. If this study has a particular niche to fill it is hoped that it may fit with what Ronald Krebs has described and encourages further academic interest.<sup>1186</sup> Hopefully, this study provides strong support for the entry of the military into the heart of scholarly analyses as an organization, as well as providing a starting point for additional research.

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<sup>1186</sup> Krebs, "A School for the Nation? How Military Service Does Not Build Nations, and How It Might," 123-124.

## Appendices

### Appendix I. Defense Spending By Europe

Below are tables compiled from EDA data that compares the levels of defense spending between Europe and the US for 2005 to 2007.

#### European - United States Defense Expenditure in 2007

	Europe*	US**
Total Defense Expenditure:	€204 Bln	€ 454 Bln
Defense Expenditure as a % of GDP:	1,69%	4,5%
Defense Expenditure Per Capita:	€ 417	€1504
GDP	€12072 Bln	€10102 Bln
Government Expenditure	€5525 Bln	€3743 Bln

\*Europe means 26 EDA participating Member States (Denmark not a member)

\*\*Euro/Dollar exchange rate is based on average for 2007: 1.370

Brussels, December 2008, the EDA<sup>1187</sup>

#### European - United States Defense Expenditure in 2006

	Europe*	US**
Total Defense Expenditure:	€ 201 Bln	€ 491 Bln
Defense Expenditure as a % of GDP:	1,78%	4,7%
Defense Expenditure Per Capita:	€ 412	€ 1,640

(Comparative GDP and Govt. Expenditure data not provided for 2006)

\*Europe means 26 EDA participating Member States (Denmark not a member)

\*\*Euro/Dollar exchange rate is based on average for 2006: rate of 1,2556

Brussels, 21 December 2007, the EDA<sup>1188</sup>

#### European - United States Defense Expenditure in 2005

	Europe*	US**
Total Defense Expenditure:	€ 193 Bln	€ 406 Bln
Defense Expenditure as a % of GDP:	1,81%	4,06%
Defense Expenditure Per Capita:	€ 425	€ 1,363

(Comparative GDP and Govt. Expenditure data not provided for 2005)

\* Europe means 24 EDA participating Member States (Romania and Bulgaria not members yet)

\*\*Euro/Dollar exchange rate is based on average for 2005: rate of 1,2441

Brussels, 19 December 2006, the EDA<sup>1189</sup>

Below are additional tables compiled from EDA data that compares the levels of defense investment year to year within Europe for 2005 to 2007 which again shows a continual decrease in Research and Development, and a slight increase in spending which is less than the rate of inflation so that in budget terms the spending was flat. The slight increase between 2005 and 2006 is explained by the addition of Romania and Bulgaria to the data set, which made no difference in the overall trend the following year.

<sup>1187</sup> European Defense Agency, available from <http://www.eda.europa.eu/defencefacts/> Internet; accessed 12 September 2009

<sup>1188</sup> Ibid

<sup>1189</sup> Ibid

### **National Defense Data of EDA participating Member States (pMS) 2006-2007**

Total Defense Expenditure in 2006: €201 Billion

Total Defense Expenditure in 2007: €204 Billion

Change 2006-2007: +1,5%

Total R&D Expenditure in 2006: € 9,7 Billion

Total R&D Expenditure in 2007: € 9,5 Billion

Change 2006-2007: -1,4%

Total Military Personnel 2006: 1 940 112

Total Military Personnel 2007: 1 836 882

Change 2006-2007: -5,3%

Brussels, December 2008, the EDA <sup>1190</sup>

### **National Defense Data of EDA participating Member States in 2005**

Total Defense Expenditure in 2005: €193 Billion (24 pMS)

Total R&D Expenditure in 2005: €9,0 Billion

Total European Military Personnel in 2005: 1,855,517

Brussels, January 24 2007, the EDA

The decline in European defense spending as a percentage of GDP really began in a pronounced way by 1970 (See table below).

G7 Defense Budget as a Percentage of GDP						
	1950	1960	1970	1980	1990	2000
Canada	2.6	4.2	2.4	1.8	2.0	1.2
France	5.5	6.5	4.2	4.0	3.5	2.6
Germany	4.4	4.0	3.3	3.3	2.8	1.5
Italy	4.3	3.3	2.7	2.4	2.1	2.1
Japan	n/a	1.1	0.8	1.0	0.9	1.0
UK	6.6	6.5	4.8	5.1	4.0	2.5
USA	5.1	9.0	8.0	5.6	5.3	3.1

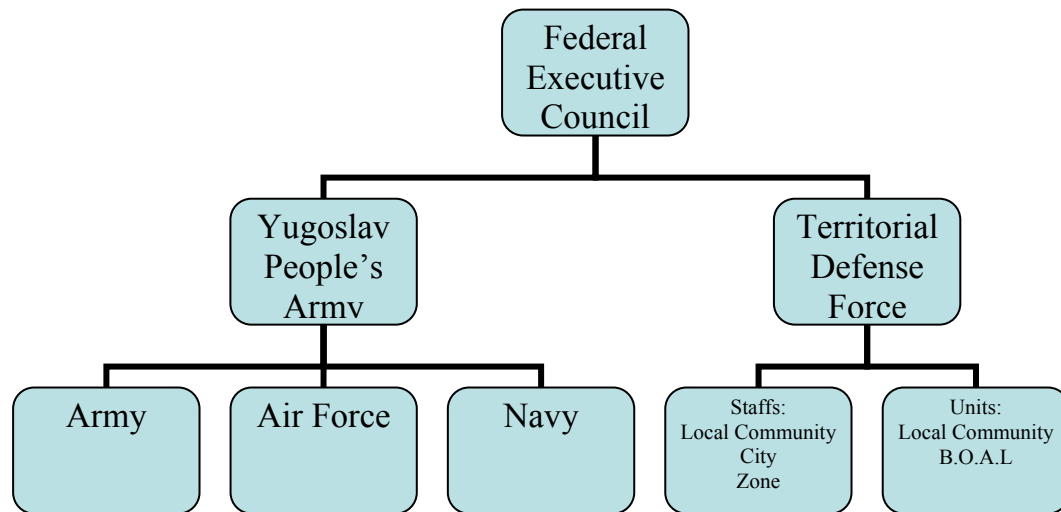
Source: Roger Middleton: "The Political Economy of Decline," *Journal of Contemporary History* 41, no. 3. (2006).  
See Also; "NATO Burdensharing," *Atlantic Review*. available from, <http://atlanticreview.org/archives/1074-NATO-Burden-Sharing.html> Internet; accessed 8 September 2009.

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<sup>1190</sup> European Defense Agency, available from <http://www.eda.europa.eu/defencefacts/> Internet; accessed 12 September 2009

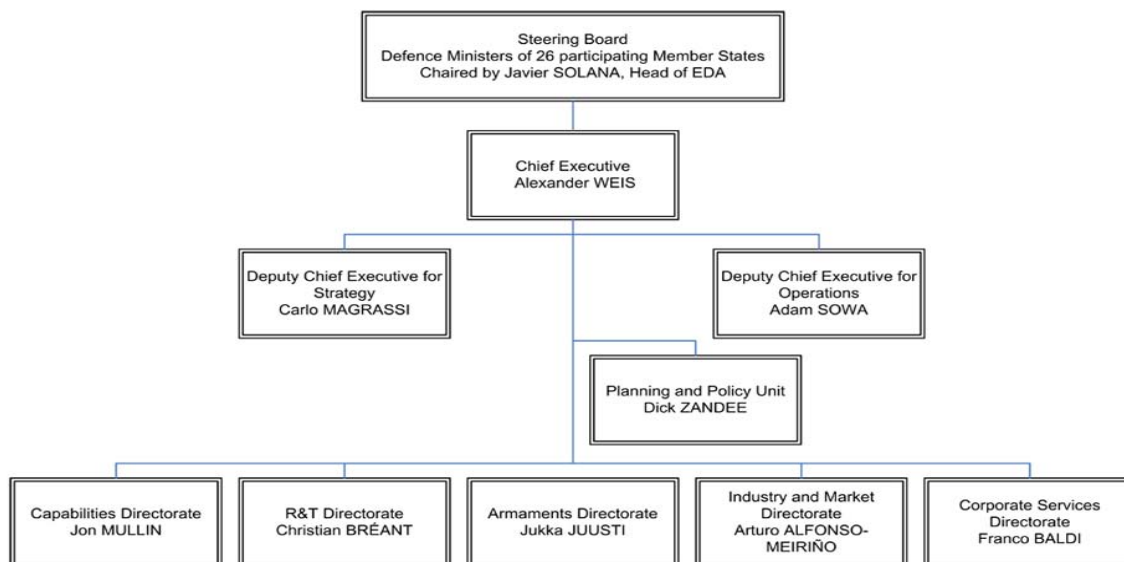
## Appendix II. Organization Chart for the YPA and TDF

This graphic shows the separate chain of command for the YPA and TDF.<sup>1191</sup>



<sup>1191</sup> Graphic from: Pierre Maurer, "Defence and Foreign Policy: Switzerland and Yugoslavia Compared" in *Yugoslavia's Security Dilemmas; Armed Forces, National Defense and Foreign Policy*, eds., Marko Milivojevic, John B. Allcock and Pierre Maurer (New York: St. Martin's Press, 1988), p.107, originally based on information from Joint Publications Research Service, *Translations on East Europe, Political, Sociological, and Military Affairs*; 'Defence School: The Yugoslav Armed Forces – Bulwark of Our Defence', *Front*, 28 November 1980, p.44.

## European Defence Agency



<sup>1192</sup> EDA Organization Chart. available from, <http://www.eda.europa.eu/genericitem.aspx?area=Organisation&id=119> Internet; accessed 10 September 2009.

46. Points out that the EU Member States together spend more than EUR 200 000 000 000 per year on defense, which is more than half the defense expenditure of the United States; remains deeply concerned about the lack of efficiency and coordination in the utilization of those funds; therefore urges that **greater efforts be made to eliminate unnecessary duplication between Member States, namely through specialization, pooling and sharing of existing capabilities, and joint development of new ones**; commends the European Defense Agency (EDA) for the excellent work it has performed so far and calls on EU Member States to take full advantage of the EDA's potential;

51. Approves the **dynamic further development of cooperation between national armed forces so that they become increasingly synchronized; proposes that this process and the armed forces be given the name "SAFE"** – Synchronized Armed Forces Europe;

53. Approves the idea of a **European statute for soldiers** within the framework of SAFE governing **training standards, operational doctrine and freedom of operational action, issues relating to duties and rights, as well as the level of equipment quality, medical care and social security arrangements in the event of death, injury or incapacity**;

54. Approves in respect of SAFE **the principle of a Europe-wide division of labor in military capabilities**;

55. Advocates closer European cooperation in the area of **training, maintenance and logistics** as a crucial prerequisite for greater efficiency in defense spending;

56. Is of the opinion that the EU's capacity for autonomous foreign and security policy action should be improved through goal-oriented enhancement of its analysis, planning, leadership and intelligence capacities; in this context, welcomes the decision of the European Council to work towards **establishing an integrated civilian and military strategic planning structure for ESDP operations and missions**;

58. **Calls for the setting-up of an autonomous and permanent EU Operational Headquarters with the capacity to undertake strategic planning and to conduct ESDP operations and missions**;

62. Recalls that **common weapons systems should be provided through a strong European defense industry** which will be capable of satisfying the current and future requirements of **the European Armed Force** and will **enable Europe to become self-sufficient and independent**;

64. Considers it particularly important to strengthen the European Security and Defense College and to transform it into permanent structure which will further **enhance the development of a specifically European security culture**;

65. Calls for further initiatives concerning **common training and common standards for personnel who are to be deployed and to work together in civilian and military operations, increased interaction between the armed forces and civilian personnel of EU Member States, coordination of crisis-related training, exchange programs among armed forces in Europe and the opening-up of armies to citizens of other EU Member States**;<sup>1193</sup>

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<sup>1193</sup> European Parliament resolution of 19 February 2009 on the European Security Strategy and ESDP. available from, <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P6-TA-2009-0075&format=XML&language=EN> Internet; accessed 13 September 2009.